



AGENDA
PLANNING COMMISSION
COUNCIL BLUFFS PUBLIC LIBRARY, MEETING ROOM A
400 WILLOW AVENUE, COUNCIL BLUFFS, IA
Tuesday, November 13, 2018 - 6:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. ADOPTION OF AGENDA**
- 4. APPROVAL OF MINUTES**
- 5. PROOF OF PUBLICATION**
- 6. REVIEW OF MEETING PROCEDURES**
- 7. PUBLIC HEARINGS**

A. SAV-18-014

Public hearing on the request of the Council Bluffs Industrial Foundation, Inc., to vacate and dispose of Murphy Road right-of-way, lying west of Indian Creek and East of South 19th Street right-of-way, and abutting properties legally described as being part of the SE 1/4 NW 1/4 of Section 14.74-44, lying West of Indian Creek and north of Murphy Road right-of-way, along with Government Lot 2 in the NE 1/4 SW 1/4 of Section 14-74-44, lying east of Gifford Road and West of Indian Creek, City of Council Bluffs, Pottawattamie County, Iowa.

B. ZT-18-003

Public hearing on the request of Johnson Enterprises, LTD, to amend Section 15.05.030 of the Council Bluffs Municipal Code (Zoning Ordinance) to allow "Greenhouse, Commercial", as defined in Section 15.03.312, as a conditional use in the A-2/Parks, Estates, and Agricultural District.

C. ZT-18-004

Public hearing on the request of the Council Bluffs Community Development Department to amend Section 15.17.020 and Section 15.18.020 of the Council Bluffs Municipal Code (Zoning Ordinance) to allow 'schools', as defined in Section 15.03.595, as a principle use in a C-4 Commercial District and P-C/Planned Commercial District.

D. URV-18-007

Public hearing on the request of the City of Council Bluffs to create the South Pointe Urban Revitalization Area and adopt the required plan for an area legally described as Lots 1, 2, 4 and 5, South Pointe Subdivision; Lots 2-5, South Pointe Subdivision, Replat 1; Lot 1, South Pointe Subdivision, Replat 2; and all of South Pointe Subdivision, Phase II, City of Council Bluffs, Pottawattamie County, Iowa. Location: South 19th Street from Veteran's Memorial Highway to Gifford Road.

E. URV-18-008

Public hearing on the request of the City of Council Bluffs to create the Arbor Creek Urban Revitalization Area and adopt the required plan for an area legally described as proposed Lot 2, Arbor Creek, City of Council Bluffs, Pottawattamie County, Iowa. Location: Immediately north of the intersection of Railroad Avenue and College Road.

8. OTHER BUSINESS

9. ADJOURNMENT

If you plan to attend this meeting and require special assistance please contact the Community Development Department at (712) 328-4629 at least 48 hours before the meeting.

Planning Commission Communication

Department: Community

Development

Case/Project No.: SAV-18-014

SAV-18-014

Council Action: 11/13/2018

Submitted by: Christopher

Gibbons, Planning Coordinator

Description

Public hearing on the request of the Council Bluffs Industrial Foundation, Inc., to vacate and dispose of Murphy Road right-of-way, lying west of Indian Creek and East of South 19th Street right-of-way, and abutting properties legally described as being part of the SE1/4 NW1/4 of Section 14.74-44, lying West of Indian Creek and north of Murphy Road right-of-way, along with Government Lot 2 in the NE1/4 SW1/4 of Section 14-74-44, lying east of Gifford Road and West of Indian Creek, City of Council Bluffs, Pottawattamie County, Iowa.

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
SAV-18-014 Staff Report Including Attach A	Other	11/8/2018
SAV-18-014 Attach B and C	Other	11/8/2018
SAV-18-014 Attach D	Other	11/8/2018

City Planning Commission Communication

<p>Department: Community Development</p> <p>CASE #SAV-18-014</p> <p>Applicant/Owner: Council Bluffs Industrial Foundation 149 West Broadway Council Bluffs, Iowa 51503</p> <p>Representatives: Matthew G. O'Reilly, President Council Bluffs Industrial Foundation 312 East Ferndale Drive Council Bluffs, IA 51503</p> <p>A.W. Tauke 310 West Kanesville Blvd, 2nd Floor Council Bluffs, IA 51503</p>	<p>Resolution No. _____</p>	<p>Public Hearing: 11/13/18</p>
<p>Subject/Title</p> <p>Request: Vacate and dispose of Murphy Road right-of-way, lying west of Indian Creek and East of South 19th Street right-of-way, and abutting properties legally described as being part of the SE1/4 NW1/4 of Section 14.74-44, lying West of Indian Creek and north of Murphy Road right-of-way, along with Government Lot 2 in the NE1/4 SW1/4 of Section 14-74-44, lying east of Gifford Road and West of Indian Creek, City of Council Bluffs, Pottawattamie County, Iowa.</p> <p>Location: Lying West of Indian Creek and East of South 19th Street/Gifford Road.</p>		
<p style="text-align: center;">Background/Discussion</p> <p>On September 24, 2018, the Council Bluffs City Council adopted Resolution No. 18-272, which granted final plat approval for a five lot industrial subdivision known as South Pointe Subdivision, Phase 2. Included in this subdivision is a former County right-of-way known as 'Murphy Road', which bisects Lot 5, South Pointe Subdivision, Phase 2 (see Attachments A and B). The subject Murphy Road is an unimproved street that contains 42,876 square feet (0.984 acres) of land and was established on the subject property prior to it being annexed into the City (see Attachment C). The right-of-way extends from Indian Creek to South 19th Street/Gifford Road and is not needed for required vehicular access to said Lot 5, South Pointe Subdivision, Phase 2.</p> <p>Based on the existing condition and function of Murphy Road right-of-way, the Community Development Department and Public Works Department recommended the right-of-way be vacated and disposed of to the applicant so that it can be platted as part of said Lot 5. The resolution to approve the South Pointe Subdivision, Phase 2 preliminary subdivision plan and final plat included a requirement that the applicant must vacate and acquire Murphy Road right-of-way prior to their final plat being executed by the City. The applicant requests approval to vacate said right-of-way so that they can combine the right-of-way area with said Lot 5 in order to execute their South Pointe Subdivision, Phase 2 final plat.</p>		

The following attachments are included with this report for reference purposes:

Attachment A: Location and zoning Map

Attachment B: South Pointe Subdivision, Phase 2 final plat

Attachment C: Murphy Road right-of-way exhibit

Attachment D: Letter from A.W. "Tony" Tauke regarding the purchasing of Murphy Road right-of-way.

On August 25, 2003 the City Council amended the adopted *Policy and Procedures for Alley, Street and Right-of-way Vacations*. The objectives of the amended Policy are as follows:

1. *To provide due process and citizen participation in the application and review process for vacations.*
The applicant owns all of the land that abuts the subject Murphy Road right-of-way. The Community Development mailed the applicant and their representative a petition asking if they are in favor of/opposed to and if they are willing to/not willing to acquire the right-of-way, if vacated. The response to this petition is summarized in Comment #10 below.
2. *To ensure that no property owner is deprived of required and reasonable access.*
The subject right-of-way bisects Lot 5, South Pointe Subdivision, Phase 2, which has road frontage along South 19th Street, and Gifford Road. The request to vacate and dispose of the subject right-of-way will not deprive the property owner of required and/or reasonable access to said Lot 5.
3. *To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.* This request will eliminate a dead-end street as Murphy Road extends from Indian Creek to the South 19th Street.
4. *To reduce or eliminate hazardous and dangerous traffic conditions.* The subject right-of-way is unimproved and is not used for vehicular and/or pedestrian traffic.
5. *To protect all existing and proposed public utilities located in the right-of-way and to maintain necessary utility easements.*
All City Departments and utilities were notified of the request. The following responses were received:
 - Council Bluffs Parks, Recreation, and Public Properties Department stated they have no comment on the request.
 - Council Bluffs Public Works Department stated they have a storm sewer within the subject right-of-way and that an easement must be retained, if vacated.
 - Council Bluffs Fire Department stated they no comments for the request.
 - Council Bluffs Permits and Inspections stated they have no comments for the request.
 - Council Bluffs Water Works stated they have no utilities in the subject right-of-way.
 - MidAmerican Energy Company stated they have no utilities in the right-of-way and have no objection to the request.
 - Black Hills Energy stated they have no concerns with the vacation request.
 - Cox Communication stated they have no issues with the vacation request.
 - CenturyLink stated they have an active copper line that is located within the subject right-of-way and that an easement must be retained, if vacated. CenturyLink also stated that any cost to move or relocate this line will be at the expense of the applicant.

Based on the information stated above an easement must be retained over the subject right-of-way, if vacated.

6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.* Not applicable.
7. *To discourage the vacation of a portion of an existing alley, street or other right-of-way.* This request is to vacate all of Murphy Road right-of-way from Indian Creek to South 19th Street/Gifford Road.
8. *To assist in the implementation of the goals and objectives of the Comprehensive Plan.* The request is consistent with the local access and circulation objectives stated in Chapter 6, Transportation of the Bluffs Tomorrow: 2030 Plan (comprehensive plan).
9. *To reduce the City's maintenance liability on previously vacated right-of-way parcels from public improvement projects and various lots acquired through delinquent taxes or assessments.* Not applicable.
10. *To establish an equitable price for surplus public property.*

The Community Development Department mailed the applicant and their representative, A.W. 'Tony' Tauke, a petition to sign stating if they are in favor of/opposed to vacation request and if they are willing to/not willing to acquire the right-of-way for a total cost \$19,613.00. The applicant signed the petition stating that they are in favor of the vacation request but are not willing to acquire it for the cost of \$19,613.00. The applicant's representative provided the City with a letter outlining their opinion of why the applicant is not legally obligated to purchase the right-of-way (see Attachment 'D'). The Community Development Department and the Legal Department reviewed this letter and concurred with their reasoning as to why the applicant is not legally obligated to purchase the Murphy Road right-of-way from the City. The applicant has requested the City vacate and dispose of their interest in Murphy Road as a roadway and has verbally agreed to establish an easement over the vacated right-of-way on the South Pointe Subdivision, Phase 2 final plat for utility access and maintenance purposes.

Recommendation

The Community Development Department recommends approval to vacate and dispose of the City's interest in the Murphy Road right-of-way, as legally described on Attachment 'C', as a roadway subject to an easement being retained over the right-of-way on the South Pointe Subdivision, Phase 2 final plat for utility access and maintenance purposes.

Attachments

Attachment A: Location and Zoning Map

Attachment B: South Pointe Subdivision, Phase 2 final plat

Attachment C: Murphy Road Right-of-way Exhibit

Attachment D: Letter from A.W. "Tony" Tauke regarding the purchasing of Murphy Road ROW.

Surveyor: Johnathan M. Leisinger, L.S., HGM Associates Inc., 640 5th Avenue, Council Bluffs, Iowa 51501

Prepared by: Christopher N. Gibbons, AICP, Planning Coordinator

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #SAV-18-014 STREET/ALLEY/ROW VACATION MAP



0 200 400
1 Inch = 400 Feet

2016 Aerial Photograph



Note: Subject properties are highlighted in red.



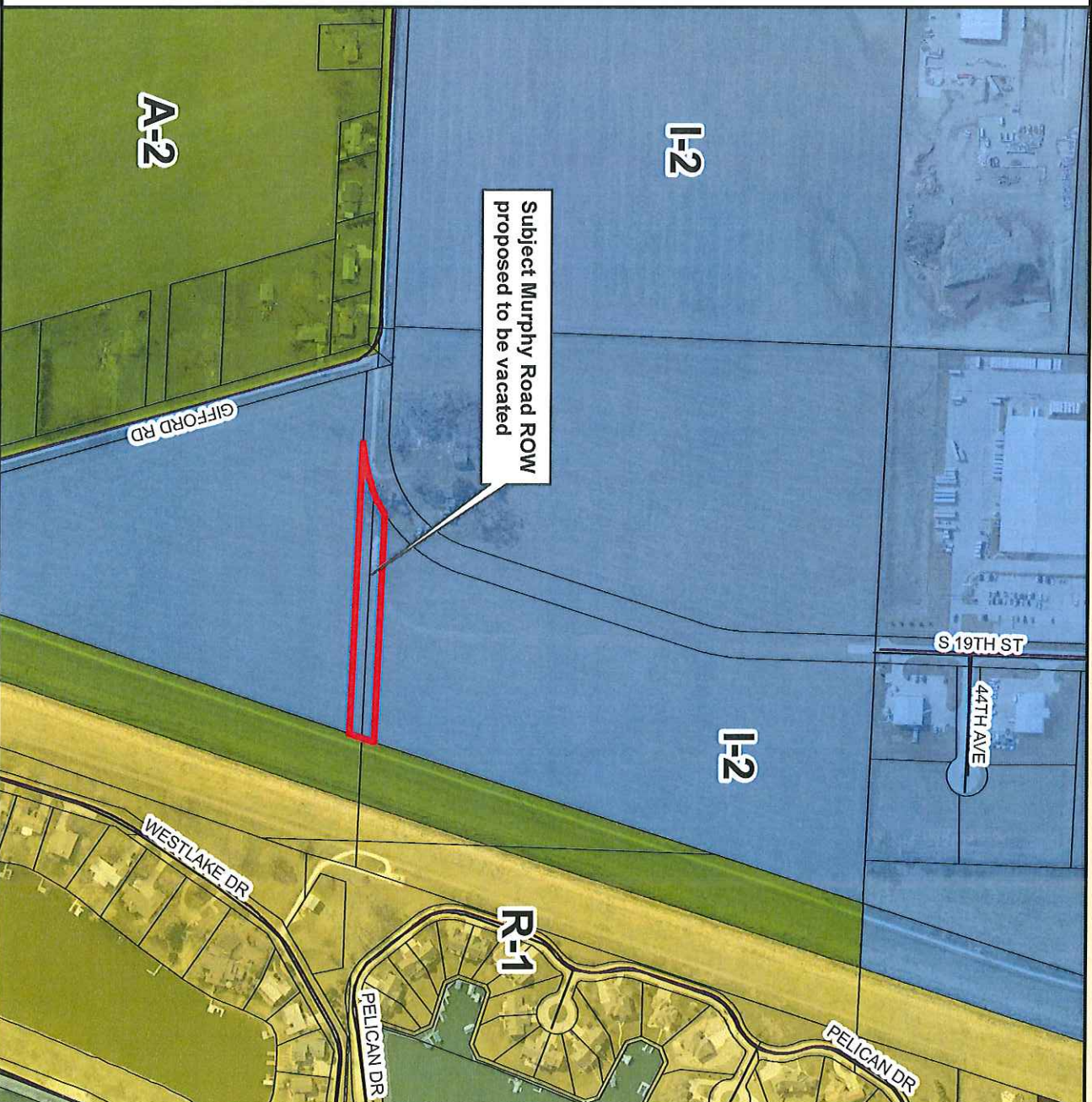
Last Amended: 10/22/18



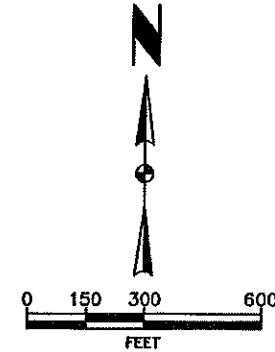
Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 328-4629

DISCLAIMER

This map is prepared and compiled from various sources and is not intended to be a legal document. It is the responsibility of the user to verify the accuracy of the information contained in the map. The City of Council Bluffs is not responsible for any errors or omissions in this map. The user should consult the official records of the City of Council Bluffs for the most current information.



A PARCEL OF LAND, BEING A PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S1/2NW1/4), A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) AND A PORTION OF GOVERNMENT LOT 2, ALL IN SECTION 14, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

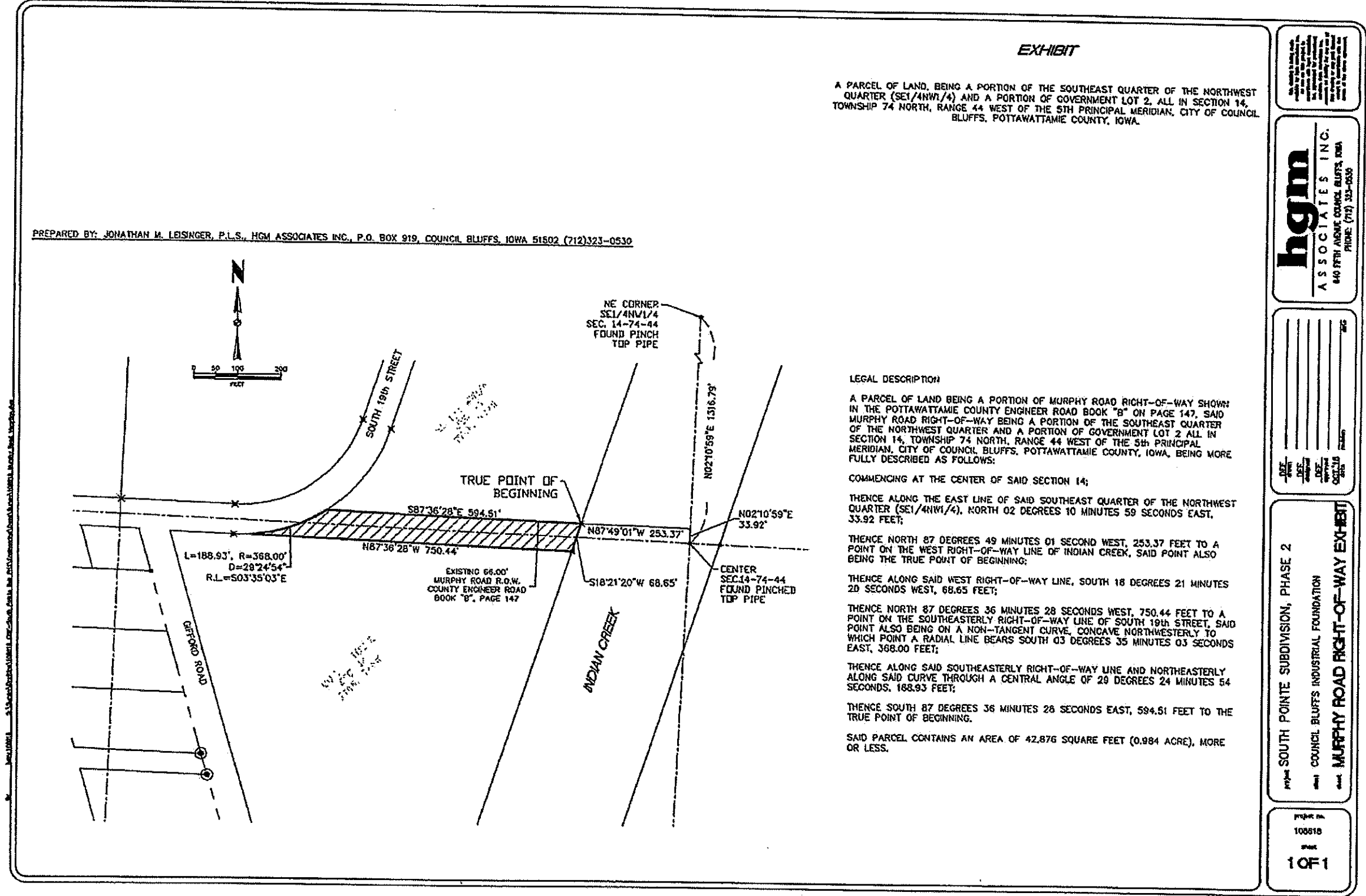
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hgm
ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs arnaha

DEF _____
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project **SOUTH POINTE SUBDIVISION, PHASE 2**
S1/2NW1/4, SW1/4NE1/4 AND GOV. LOT 2, SEC. 14-74-44
client **COUNCIL BLUFFS INDUSTRIAL FOUNDATION**
sheet **FINAL PLAT**

project no.
108618
sheet
2 OF 2





Kristopher K. Madsen*
Partner

October 31, 2018

Rick D. Crowl*
Partner

Robert M. Livingston*
Partner

City of Council Bluffs
Community Development and Planning Department
City Planning Commission
Attn: Chris Gibbons
209 Pearl Street
Council Bluffs, IA 51503

Jennifer A. Carlson*
Partner

Michael G. Reilly
Partner

Zachary M. Winter*
Associate

Re: VACATION OF MURPHY RIGHT-OF-WAY

William R. Hughes, Jr.*
Of Counsel

A. W. "Tony" Tauke
Of Counsel

* Admitted in Iowa & Nebraska

As a follow up of our previous discussions with staff of Community Development and City Attorney and on behalf of the Council Bluffs Board of Directors, it is our opinion that Murphy "street" is a right-of-way easement for a public road obtained by Pottawattamie County before annexation by the City. The County, contrary to a city, has a right-of-way easement over the land for a road rather than a dedicated fee title given to a city for a city street.

Robert M. Stuart
1914-1986

Annexation by a city gives the city only those rights held by the County. The interest in the road right-of-way does not become a "dedicated street" with fee title to the city after annexation but rather remains as it was titled and held by the County. In this case and similar cases, a county has a right-of-way easement with the underlying property owned by the adjoining landowners.

Jack W. Peters
1931-1993

Emmet Tinley
1916-2002

James E. Thorn
1935-2009

Consequently, when the right-of-way easement is vacated the land underlying the easement reverts to the adjoining landowners as fee titled property free of the easement. The City has no ownership interest in the land and therefore it has no right of payment from the landowners for the vacated land.

Gary R. Faust
1944-2014

The Council Bluffs Industrial Foundation has purchased and owns the land underlying the Murphy right-of-way. It is also to be noted that Murphy right-of-way was not platted or shown on the title when it was purchased by the Foundation. The land underlying the right-of-way was included by the assessor as part of the total acreage which was the basis for the purchase price.

For these reasons, the Foundation is unwilling to pay the City for the vacated right-of-way and is requesting your approval for vacating the right-of-way without any payment to the City.

October 31, 2018

We appreciate your consideration and approval of this request. If you require any additional information or if you have any questions, please contact me.

Yours very truly,

STUART TINLEY LAW FIRM LLP

By

A handwritten signature in dark ink, appearing to read "A. W. Tauke", written in a cursive style.

A. W. Tauke

Direct email: awtauke@stuarttinley.com

Cc: Dan Koenig, Matt O'Reilly, Paula Hazelwood by email

Planning Commission Communication

Department: Community

Development

Case/Project No.: ZT-18-003

ZT-18-003

Council Action: 11/13/2018

Submitted by: Chris Meeks,

Planner

Description

Public hearing on the request of Johnson Enterprises, LTD, to amend Section 15.05.030 of the Council Bluffs Municipal Code (Zoning Ordinance) to allow “Greenhouse, Commercial”, as defined in Section 15.03.312, as a conditional use in the A-2/Parks, Estates, and Agricultural District.

Background/Discussion

See attachment.

Recommendation

ATTACHMENTS:

Description

Type

Upload Date

ZT-18-003 Staff Report Including Attach

Other

11/8/2018

City Planning Commission Communication

Department: Community Development Case #ZT-18-003 Applicant: Johnson Enterprises, LTD d/b/a Dallas Johnson Greenhouses 2802 Twin City Drive Council Bluffs, IA 51501	Ordinance No.	Planning Commission: November 13, 2018
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Subject/Title

CASE #ZT-18-003: Public hearing on the request of Johnson Enterprises, LTD, to amend Section 15.05.030 of the Council Bluffs Municipal Code (Zoning Ordinance) to allow “Greenhouse, Commercial”, as defined in Section 15.03.312, as a conditional use in the A-2/Parks, Estates, and Agricultural District.

Background

The Community Development Department has received a request of Johnson Enterprises, LTD, for a text amendment to Title 15 of the Municipal Code (Zoning Ordinance) for:

- An amendment to §15.05.030, Conditional uses in the A-2/Parks, Estates, and Agricultural District, to add “10. Greenhouse, Commercial”.

The purpose of this text amendment is to bring the Dallas Johnson Greenhouses, located at 2802 Twin City Drive, into conformance with city zoning so that they may expand their greenhouse facility. The Dallas Johnson Greenhouses were established in 1991 when the property was zoned A-2. At that time, a greenhouse was allowed as a principal use in the A-2 District. On August 26, 1996, the Council Bluffs City Council adopted Ordinance #5285 which amended the principal uses in the A-2 Zoning District, and greenhouses were removed as a principal use. Subsequently, the Dallas Johnson Greenhouses became a nonconforming use due to this text amendment. The proposed text amendment will bring the Dallas Johnson Greenhouses into conformance with the Council Bluffs Municipal Code, and will also allow other greenhouse uses to occur in the A-2 District upon issuance of a conditional use permit.

Commercial greenhouses or hoop houses are defined in Section 15.03.312 of the Municipal Code as “an establishment engaged in the propagation and growth of plant material for gardening, landscaping, and/or food production purposes, intended for wholesale or retail sales”. Commercial greenhouses are currently allowed as Principal uses in only the I-1/Light Industrial District and I-2/General Industrial District. Commercial greenhouse are required to adhere to all applicable site development regulations for the zoning district which they are located within. The current zoning ordinance does not have specific off-street parking standards for a commercial greenhouse. Due to the differing operating characteristics of the property, (e.g. manufacturing space, warehousing space, and office space) parking requirements will be set forth using Schedule A of Chapter 15.23 of the Municipal Code, as follows:

- Office or administrative activity: 1 space per 300 square feet
- Indoor sales, display, or service area: 1 space per 500 square feet
- Outdoor sales, display, or service area: 1 space per 2,000 square feet
- Equipment servicing or manufacturing: 1 space per 1,000 square feet
- Indoor or outdoor storage or warehousing: 1 space per 5,000 square feet

The applicant would also have the option to conduct a professional parking study for their site to determine the appropriate parking which could be approved by the Zoning Board of Adjustment as part of the conditional use permit review.

All City departments and utility providers received a copy of the proposed text amendment. The Council Bluffs Public Works Department, Black Hills Energy, Council Bluffs Water Works, and MidAmerican Energy all responded that they have no comments on the request.

No other comments have been received.

Recommendation

The Community Development Department recommends approval of the request for an amendment to §15.05.030, by adding “10. Greenhouse, Commercial” as a Conditional use in the A-2/Parks, Estates and Agricultural District.

Attachment

Attachment A: Proposed text amendment

Prepared by: Chris Meeks, Planner

Chapter 15.05

A-2/PARKS, ESTATES AND AGRICULTURAL DISTRICT

Sections:

15.05.010	Statement of intent
15.05.020	Principal uses
15.05.030	Conditional uses
15.05.040	Accessory uses
15.05.050	Site development regulations
15.05.060	Additional regulations
15.05.070	Signs

15.05.010 Statement of intent. This district is intended to preserve lands best suited for agricultural, recreational, and large-parcel residential uses. It is also intended to preserve land suited for eventual development, pending proper timing for economical and practical provisions of streets, utilities, schools and other facilities so that reasonably compact development will occur.

15.05.020 Principal uses. The following principal uses shall be permitted outright in an A-2 district:

1. Animal production
2. Cemetery
3. Dwelling, single family detached
4. Family home
5. Government maintenance facility
6. Horticulture and crop production
7. Local utility services
8. Park and recreation services
9. Public campground
10. Public safety services
11. Religious assembly (Ord. #5523, Sec. 1, 10/23/00)
12. Secondary airports and private light plane landing strips, when laid out and operated in accordance with all applicable regulations of the Federal Aviation Administration (FAA) and when situated on a site containing not less than thirty (30) acres. (Ord. 6055, Sec. 1, 3/8/10)

13. Animal shelter (non-profit). (Ord. #6081, Sec. 1, 5/24/10)

15.05.030 Conditional uses. The following conditional uses shall be permitted in an A-2 district in accordance with the requirements set forth in Chapter 15.02: (Ord. 6055, Sec 2, 3/8/10)

1. Agricultural sales and service
2. Commercial recreation (outdoor)
3. Day care services
4. Extraction activity
5. Funeral service in conjunction with a cemetery
6. Outdoor firing range
7. Private campground
8. Sanitary landfill
9. Rubble dump (Ord. #5523, Sec. 2, 10/23/00)

10. Greenhouse, Commercial

15.05.040 Accessory uses. Accessory uses shall include uses of land or structures customarily incidental and subordinate to one of the principal uses, unless otherwise excluded. In an A-2 District only, an accessory structure may exceed the ground floor coverage of the principal structure.

15.05.050 Site development regulations.

Minimum Lot Size

Lot area: 3 acres
Lot width: 150 feet
Lot depth: 200 feet

<u>Minimum Setbacks</u>	<u>Principal Structure</u>	<u>Accessory Structure</u>
Front yard:	50 feet	greater of 50 feet or existing front setback line of principal structure
Street side yard:	20 feet	20 feet
Side yard:	10% of lot width or 10 feet whichever is greater	10% of lot width or 10 feet whichever is greater

Rear yard:	20 feet	20 feet
Maximum height:	35 feet	25 feet

Lot coverage - all structures	10% maximum
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15.05.060 Additional regulations.

1. Reserved

15.05.070 Signs. Signage in this district shall comply with Chapter 15.33 "Signs".
(Ord. 5285, 8/26/96)

Planning Commission Communication

Department: Community

Development

Case/Project No.: ZT-18-004

ZT-18-004

Council Action: 11/13/2018

Submitted by: Christopher

Gibbons, Planning Coordinator

Description

Public hearing on the request of the Council Bluffs Community Development Department to amend Section 15.17.020 and Section 15.18.020 of the Council Bluffs Municipal Code (Zoning Ordinance) to allow 'schools', as defined in Section 15.03.595, as a principle use in a C-4 Commercial District and P-C/Planned Commercial District.

Background/Discussion

See attachment.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
ZT-18-004 Staff Report Including Attach	Other	11/8/2018

City Planning Commission Communication

Department: Community Development Case #ZT-18-004 Applicant: City of Council Bluffs	Ordinance No. _____	Planning Commission: 11/13/2018
Subject/Title		
CASE #ZT-18-004: Public hearing on the request of the Community Development Department to amend §15.18.020 of the Council Bluffs Municipal Code (Zoning Ordinance) by adding 'School' as a principal use in a P-C/Planned Commercial District.		
Background		
<p>The Community Development Department is requesting to amend Title 15 of the <u>Municipal Code</u> (Zoning Ordinance) relative to 'schools' as follows:</p> <ul style="list-style-type: none"> • Amend §15.18.020, <i>Principal uses, P-C/Planned Commercial District</i>, of the <u>Municipal Code</u> (Zoning Ordinance) by adding §15.18.020(20) 'School' as a principal use <p>Per Section 15.03.595 of the Municipal Code (Zoning Ordinance) a 'school' is defined as "public or non-public, at all levels from prekindergarten level through grade twelve, which meet the requirements of the State Board of Public Instruction, and accredited schools that provide post-secondary education. Said "School" shall include the buildings and all land contiguous to said buildings". On November 13, 2017, the Council Bluffs City Council approved Ordinance No. 6311, which amended the definition of a 'school' to include post-secondary education. The purpose of the text amendment was to allow EQ School of Hair to adaptively reuse the former Petersen School at 2600 S. 9th Street as their new educational facility.</p> <p>Schools are allowed as a principal use in the following zoning districts, as per the Council Bluffs Zoning Ordinance:</p> <ul style="list-style-type: none"> • R-1/Single-Family Residential District; • R-1M/Single-Family Mobile Home Residential District; • R-2/Two-Family Residential District; • R-3/Low Density Multi-Family Residential District; • R-4/High Density Multi-Family Residential District; • C-1/Neighborhood Commercial District; • C-2/Commercial District; and • C-3/Central Business District <p>The proposed text amendments will allow a 'school', as defined in Section 15.03.595, as a principal use in the P-C/Planned Commercial District. Properties zoned P-C District in the City of Council Bluffs generally include all major retail shopping centers (e.g., Lake Manawa Power Center, Marketplace, Metro Crossing, Mall of the Bluffs, and Bluffs Northway), the Mid-America Center area, and several large acre tracts of vacant land located along S. 24th Street, S. 35th Streets, and 23rd Avenue. The proposed text amendments would allow for office and retail spaces in the areas identified above to be used for public, private, and/or secondary education facilities. A recent inquiry by the Council Bluffs Community School District to locate classrooms in the former</p>		

Target building while Kirn and Wilson Middle Schools are being renovated has necessitated this text amendment. An anticipated positive side effect of locating a school in the Mall of the Bluffs area is that the increased pedestrian traffic has the potential to reinvigorate the facility.

All City departments and utility providers received a copy of the proposed text amendment. The Building Division, Council Bluffs Fire Department, Council Bluffs Police Department, Council Bluffs Water Works, Black Hills Energy and MidAmerican Energy stated they have no comments with the proposed amendment.

No other comments have been received.

Recommendation

The Community Development Department recommends approval to amend §15.18.020, *Principal uses, P-C/Planned Commercial District*, of the Municipal Code (Zoning Ordinance) by adding §15.18.020(20) 'School' as a principal use.

Attachment

Attachment A: Proposed text amendment to Chapter 15.18.020, P-C District relative to a 'school'.

Prepared by: Christopher N. Gibbons, AICP, Planning Coordinator

Chapter 15.18

P-C PLANNED COMMERCIAL DISTRICT

Sections:

15.18.010	Statement of intent
15.18.020	Principal uses
15.18.030	Conditional uses
15.18.040	Accessory uses
15.18.050	Site development regulations
15.18.060	Development plan review procedure
15.18.070	Signs

15.18.010 Statement of intent. The PC district is intended to provide for the development of retail shopping centers, hotel/motel services, destination resorts, and office parks. Facilities in planned commercial districts are designed to be used in common, such as ingress and egress roads, extensive parking accommodations, proper relations to traffic arteries, and compatibility with surrounding uses. Because large retail/service centers have significant impact upon the development of the city, final authority over their development shall be retained by the city council, with extensive review by the planning commission.

15.18.020 Principal uses. The following principal uses shall be permitted outright in a PC district:

1. Automobile service establishment
2. Business, professional office
3. Business goods and service establishment
4. Commercial recreation (indoor)
5. Consumer service establishment
6. Cultural service
7. Financial service
8. General government use
9. Hotel/motel
10. Local utility service
11. Places of public assembly, entertainment or recreation

12. Private parking lot
13. Public parking lot
14. Public safety service
15. Retail shopping establishment
16. Restaurant (drive-in, limited and general)
17. Tavern (Ord. #5634, Sec. 1, 6/25/01)
18. Consumer fireworks sales (Ord. #6333, Sec. 1, 6/11/18)
19. Small alcohol production facility (Ord. 6344, Sec. 1, 8/13/18)
20. School

15.18.030 Conditional uses. The following conditional uses shall be permitted in a PC district in accordance with the requirements set forth in Chapter 15.02:

1. Communication tower
2. Day care services (Ord. #6116, Sec. 1, 1/10/11)
3. Auction, Indoor (Ord. #6142, Sec. 3, 12/12/11)

15.18.040 Accessory uses. The following accessory uses shall be permitted in a PC district:

1. Uses of land or structures customarily incidental and subordinate to one of the principal uses in the PC district, unless otherwise excluded.

15.18.050 Site development regulations. Minimum tract size, lot size, setback requirements, height, lot coverage, signage and landscaping shall be determined through the development plan review procedure described in this chapter. The components of an approved development plan shall prevail over conflicting standards or regulations elsewhere in this title.

15.18.055 Additional regulations.

1. Consumer fireworks sales from a temporary structure shall not be located within 300 feet of a residential structure. (Ord. #6333, Sec. 1, 6/11/18)

15.18.060 Development plan review procedure.

1. Application. A completed application form, ten copies of the development plan along with the required fee shall be submitted to the community development department. The development plan shall be reviewed in

accordance with the procedures outlined below. The following information shall be submitted to the community development department:

- a. A letter of intent stating the proposed uses, improvements necessary to serve the development, construction time frame and phasing.
- b. The development name and legal description of the boundary.
- c. A north arrow, scale, bar scale and date.
- d. The names and addresses of the owner, and the architect or engineer preparing the plan.
- e. A location map showing the proposed development and its relationship to existing abutting subdivisions and community facilities such as streets, schools, parks, and commercial areas.
- f. All established floodway or floodway fringe encroachment limits.
- g. A soils and drainage report prepared by the engineer. The report shall show the general soil and drainage conditions and include preliminary recommendations as to the adaptability of the property proposed for development.
- h. Location and size of any sites to be considered for dedication to public use.
- i. Layout, numbers and dimensions of proposed lots.
- j. The location, width, name, grade and typical cross-sections of all proposed streets within the development and the width and name of any platted street located within two hundred feet of the site.
- k. The location and width of other public ways, railroad right-of-ways, utility and all other easements, existing or proposed within the development and within two hundred feet.
- l. Existing and proposed contour intervals of not more than five feet.
- m. All existing and proposed underground installations within the proposed development or adjacent thereto or the location of the nearest available facilities.
- n. The location of all existing and proposed structures, proposed parking areas, pedestrian ways, private and public streets, and landscaping.
- o. Proposed landscaping plan.

- p. Proposed signage plan.
- q. Traffic impact study to include: 1) data on existing peak hour traffic volumes and conditions; 2) directional distribution estimates of added traffic; 3) projections of added traffic volumes for all of the appropriate critical hours; 4) determination of needed improvements, controls, driving locations, and their design; and 5) identification of any need for additional right-of-way which could be secured from the developer.
- r. Architectural drawings, renderings, or other visual documents which illustrate proposed building design.

The community development director shall determine the adequacy and completeness of the development plan application. The community development director may require additional information prior to scheduling review by the city planning commission.

1. Review by city planning commission. The city planning commission, in reviewing the development plan, shall take into consideration conformance with the comprehensive plan, recognized principles of land use planning, landscape, architecture, the conservation and stabilization of the value of property, adequate open space for light and air, congestion of public streets, the promotion of public safety, health, convenience and comfort and the general welfare of persons using the facility. In addition to the proposed use meeting the general requirements herein set forth, the commission in recommending approval of the proposed development plan, may recommend certain conditions to be attached to such use which the commission deems necessary in order to carry out the intent and purpose of this title. Such conditions may include, but are not limited to an increase in the required lot or yard area, control of the location and number of vehicular access points to the property, limitations to the number of signs, limitations to coverage or height of buildings situated on the property because of obstruction to view and reduction of light and air to adjacent property, required screening and landscaping where necessary to reduce noise and glare, and designation of responsibility for maintenance of the property.
2. Review by city council. After review of the development plan by the city planning commission, it shall be forwarded to the city council, with its written recommendations, whether for approval or denial, whereupon the city council may take action on the plan. Approval of the development plan shall be by city council resolution.
3. Building permit review. The community development director shall review all building and public works construction permits for compliance with the approved development plan. No building or public works construction permit shall be issued if determined by the community development director to be inconsistent with the approved development plan. However,

the community development director shall have the authority to approve minor changes to the development plan. If the community development director determines that major changes are requested, review and approval by the city planning commission and city council shall be required.

4. Amendment to development plan. Proposed amendments to an approved development plan shall be subject to the same review and approval procedure as an initial application.

15.18.070 Signs. In addition to the signage approved in the development plan, signage in this district shall comply with Chapter 15.33 "Signs" (Ord. #5469, Sec. 2, 8/99)

Planning Commission Communication

Department: Community

Development

Case/Project No.: URV-18-007

URV-18-007

Council Action: 11/13/2018

Submitted by: Brenda Carrico,

Program Coordinator

Description

Public hearing on the request of the City of Council Bluffs to create the South Pointe Urban Revitalization Area and adopt the required plan for an area legally described as Lots 1, 2, 4 and 5, South Pointe Subdivision; Lots 2-5, South Pointe Subdivision, Replat 1; Lot 1, South Pointe Subdivision, Replat 2; and all of South Pointe Subdivision, Phase II, City of Council Bluffs, Pottawattamie County, Iowa. Location: South 19th Street from Veteran's Memorial Highway to Gifford Road.

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
URV-18-007 South Pointe URV Staff Report	Other	11/8/2018
URV-18-007 South Pointe URV Plan	Other	11/8/2018

Planning Commission Communication

Department: Community Development CASE # URV-18-007 Applicant: Community Development Department	Resolution No. _____	Planning Commission: 11-13-18 Resolution of Intent: 10-8-18 City Council Public Hearing: 11-26-18 First Reading: 11-26-18 Second Reading: 12-7-18 Third Reading: ask to be waived
------------------------------------------------------------------------------------------------------------------------	----------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Subject/Title

Adoption of the South Pointe Urban Revitalization Plan and Area

Location

South 19th Street from Veteran's Memorial Highway to Gifford Road

Background

Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.

Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement.

Discussion

The Council Bluffs Industrial Foundation and the City of Council Bluffs have been working on the development of industrial ground near South 19th Street and Veteran's Memorial Highway for the past fifteen years. A recent subdivision (South Pointe Subdivision Phase 2) expanded the available land appropriate for economic development by 95.83 acres. A previous industrial subdivision (South Pointe Subdivision) contains 80.09 acres with 6.15 acres undeveloped.

A letter of support to designate the area as an urban revitalization area was submitted by the Advance Southwest Iowa Corporation. As confirmed in their letter, the urban revitalization program enhances the attractiveness of this area for economic development by providing eligible businesses tax exemptions on approved projects.

Iowa Code permits the City to establish urban revitalization areas which satisfy one of the five conditions outlined in Section 404.1. Staff believes a finding would be consistent under 404.1.4. Section 404.1.4 discusses an area which is appropriate as an economic development area as defined in section 403.17. Section 403.17(10) defines an economic development area as an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises.

On October 8, 2018, the City Council approved Resolution 18-282, which directed staff to initiate the process of creating the South Pointe Urban Revitalization Plan and Area and set November 26, 2018 as the public hearing date. Although Chapter 404 of the Iowa Code does not specifically require review by the City Planning Commission, staff believes that such review is appropriate.

Notification was sent to the owners of properties who are within the urban revitalization area. One response was received asking to review the entire plan. It was provided to the property owner and no formal written statements have been received from them or any others.

Staff specifically asks that the Commission consider the following:

- The proposed South Pointe Urban Revitalization Plan furthers the goals of the City's Comprehensive Plan.
- The South Pointe Urban Revitalization Area is an area appropriate for urban revitalization designation as specified in Iowa Code Section 404.1.4 which discusses areas that are appropriate for economic development as defined by Section 403.17.

Recommendation

The Community Development Department recommends approval of the South Pointe Urban Revitalization Plan and Area.

Attachment

South Pointe Urban Revitalization Plan

Submitted by: Brenda Carrico, Program Coordinator, Community Development Department

South Pointe Urban Revitalization Plan



Prepared by

Community Development Department
City of Council Bluffs, Iowa

Adopted by
City Council on _____, 2018

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INTRODUCTION

The Urban Revitalization Act empowers a municipality to designate an area appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.

The City of Council Bluffs wishes to utilize property tax abatement incentives under the Urban Revitalization act to facilitate the development of new commercial and industrial land uses. The preparation and subsequent adoption of an Urban Revitalization Plan is required by the Iowa Code prior to the provision of property tax abatement.

Section 404.1 of the Iowa Code stipulates that the Council may, by ordinance, designate an area of the City as the revitalization area, if that area is classified as any of the following:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare.
2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety or welfare in its present condition and use.
3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.
4. An area which is appropriate as an economic development area as defined in Section 403.17(10) of the Iowa Code which states "an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing."

5. An area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multifamily housing.

The City of Council Bluffs concluded that the South Pointe Urban Revitalization Area meets the criteria of element 4. Consequently, on October 8, 2018, the City Council adopted Resolution No. 18-282, which directed staff to prepare a plan for the proposed revitalization area. Illustration 1 is the City Council Resolution.

South Pointe Urban Revitalization Plan
Illustration 1 – Resolution

RESOLUTION NO. 18-282

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH THE SOUTH POINTE REVITALIZATION AREA LEGALLY DESCRIBED AS LOTS 1, 2, 4 AND 5, SOUTH POINTE SUBDIVISION; LOTS 2-5, SOUTH POINTE SUBDIVISION, REPLAT 1; LOT 1, SOUTH POINTE SUBDIVISION, REPLAT 2; AND ALL OF SOUTH POINTE SUBDIVISION, PHASE 2), CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the subject area is an appropriate area as defined in Section 404.1.4 of the Iowa Code; and

WHEREAS, the Council Bluffs Industrial Foundation and others have properties available for economic development in this area; and

WHEREAS, a plan for the area must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.4.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by October 25, 2018.

BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on November 26, 2018.

**ADOPTED
AND
APPROVED:**

October 8, 2018


Matthew J. Walsh Mayor

ATTEST:


Jodi Quakenbush City Clerk

LEGAL DESCRIPTION

The South Pointe Urban Revitalization Area is a tract of land containing the following legally described parcels:

Lots 1, 2, 4, and 5, South Pointe Subdivision; Lots 2 through 5, South Pointe Subdivision, Replat 1; Lot 1, South Pointe Subdivision, Replat 2; and of proposed South Pointe Subdivision, Phase 2, all in the City of Council Bluffs, Pottawattamie County, Iowa.

Illustration 2 shows the location and the boundary of the South Pointe Urban Revitalization Area. The area is approximately 136.90 acres in size.

South Pointe Road Urban Revitalization Plan
Illustration 2 – Boundary



PROPERTY OWNERS AND ASSESSED VALUES

The South Pointe Urban Revitalization Area contains 13 parcels of land that total 136.90 acres in size. The total valuation (\$) for all land, dwellings, and buildings in this urban revitalization area are as follows:

Land Valuation: \$4,988,100.00

Dwelling Valuation: \$0

Building Valuation: \$9,318,500.00

Total Valuation: \$14,306,600.00

A complete listing of these parcels, ownership, land/dwelling/building valuation, and acreage information is outlined in the attachment titled *Attachment A – South Pointe Urban Revitalization Area Plan – Property Owners List*. The information stated in this attachment was obtained from records in the Pottawattamie County Assessor's Office.

On November 22, 2004, the Council Bluffs City Council adopted Ordinance No. 5823, which established the South 19th Urban Revitalization Area. This revitalization area consisted of eight parcels of land that were located west of Indian Creek, south of Veterans Memorial Highway (US 275/92) and east of Gifford Road and totaled 80.09 acres in size. The plan was valid was 10 years from the date of City Council adoption and helped attract new economic development projects in the South Pointe Industrial Park and along Gifford Road. The proposed South Pointe Urban Revitalization Area will include land that was located in the former South 19th Street Urban Revitalization Area.

EXISTING ZONING AND PROPOSED LAND USE

The South Pointe Urban Revitalization Area is currently zoned I-2/General Industrial District and is partially located within a designated Recreational-Tourism Overlay (RO) (see Illustrations 3 and 4). The I-2/General Industrial District is intended to provide for the development of general manufacturing and industrial areas. This district is designed to accommodate industrial uses with moderate external effects. The Recreation-Tourism Overlay (RO) is intended to maintain and enhance the aesthetic quality of areas around the National Historic Trails Center and land based and riverboat gaming facilities. This Overlay is intended to mitigate and negative impact associated with these facilities.

Surrounding zoning in the general vicinity of the South Pointe Urban Revitalization area includes: I-2/General Industrial District and I-1/Light Industrial District to the north; I-2/General Industrial District, A-2/Parks, Estates, and Agricultural District, C-2/Commercial District, R-1/Single Family Residential District, and R-3/Low Density Multi-Family Residential District to the east; A-2/Parks, Estates, and Agricultural District to the south; along with I-2/General Industrial District and A-2/Parks, Estates, and Agricultural District to the west.

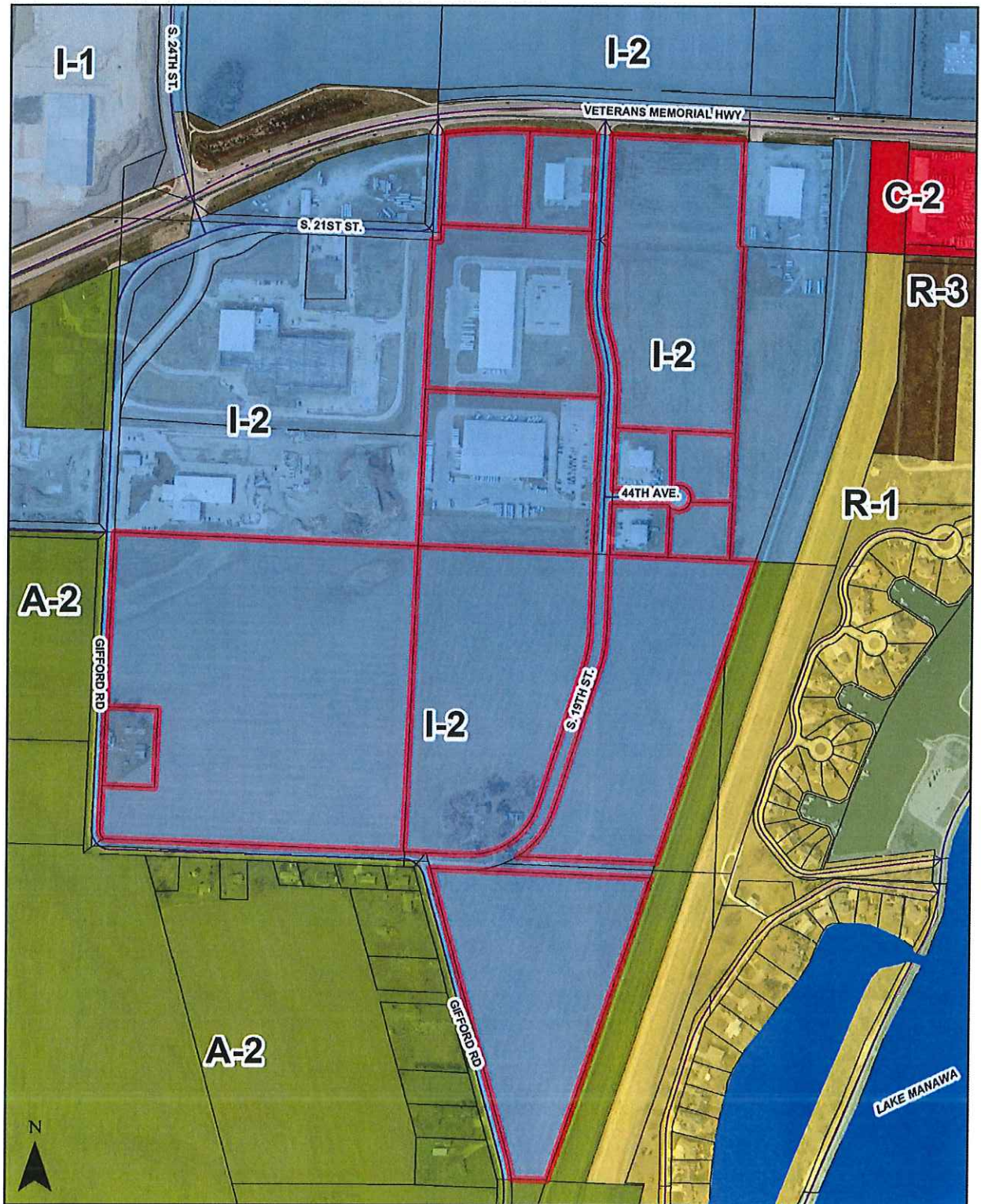
The South Pointe Urban Revitalization Area contains a mixture of industrial, undeveloped, and agricultural land uses. Existing businesses within this urban revitalization area include the following:

1. Matheson Tri-Gas – 4106 South 19th Street (PIN #744411377004)
2. Fremont Contract Carriers (FCC) – 4303 South 19th Street (PIN #744411379001)
3. FedEx Freight – 4306 South 19th Street (PIN #744414126003)
4. FedEx Freight – 4406 South 19th Street (PIN #744414126002)
5. Pro-Tech Sales – 4343 South 19th Street (PIN #744414127003)
6. TEQ Supply Inc. – 4405 South 19th Street (PIN #744414127005)

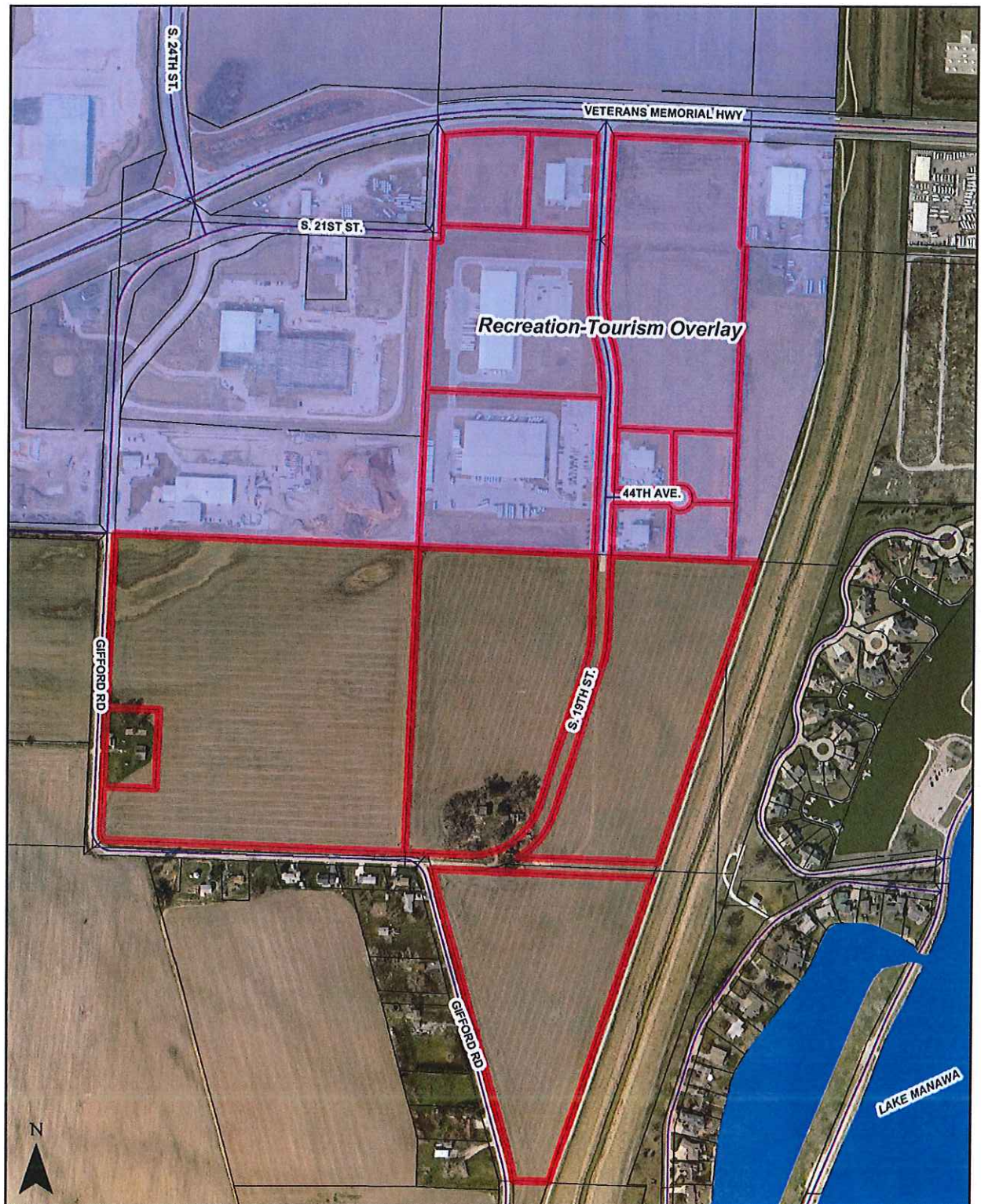
The remaining properties in the proposed South Pointe Urban Revitalization Area are undeveloped. The Council Bluffs Industrial Foundation has proposed to replat 95.83 acres of said urban revitalization area into a new five-lot industrial subdivision to be known as South Pointe Subdivision, Phase 2 (see Illustration 5). This subdivision is located immediately south of the South Pointe Subdivision and includes an extension of South 19th Street and improvements to Gifford Road. The Council Bluffs Industrial Foundation and the Advance Southwest Iowa Corporation intend to market and sell each lot in the subdivision for new economic development projects in the City. A letter of support from Paula Hazelwood, Executive Director of the Advance Southwest Iowa Corporation, for the South Pointe Urban Revitalization Area is included as Attachment B.

All land uses in the proposed South Pointe Urban Revitalization Area will be commercial or industrial.

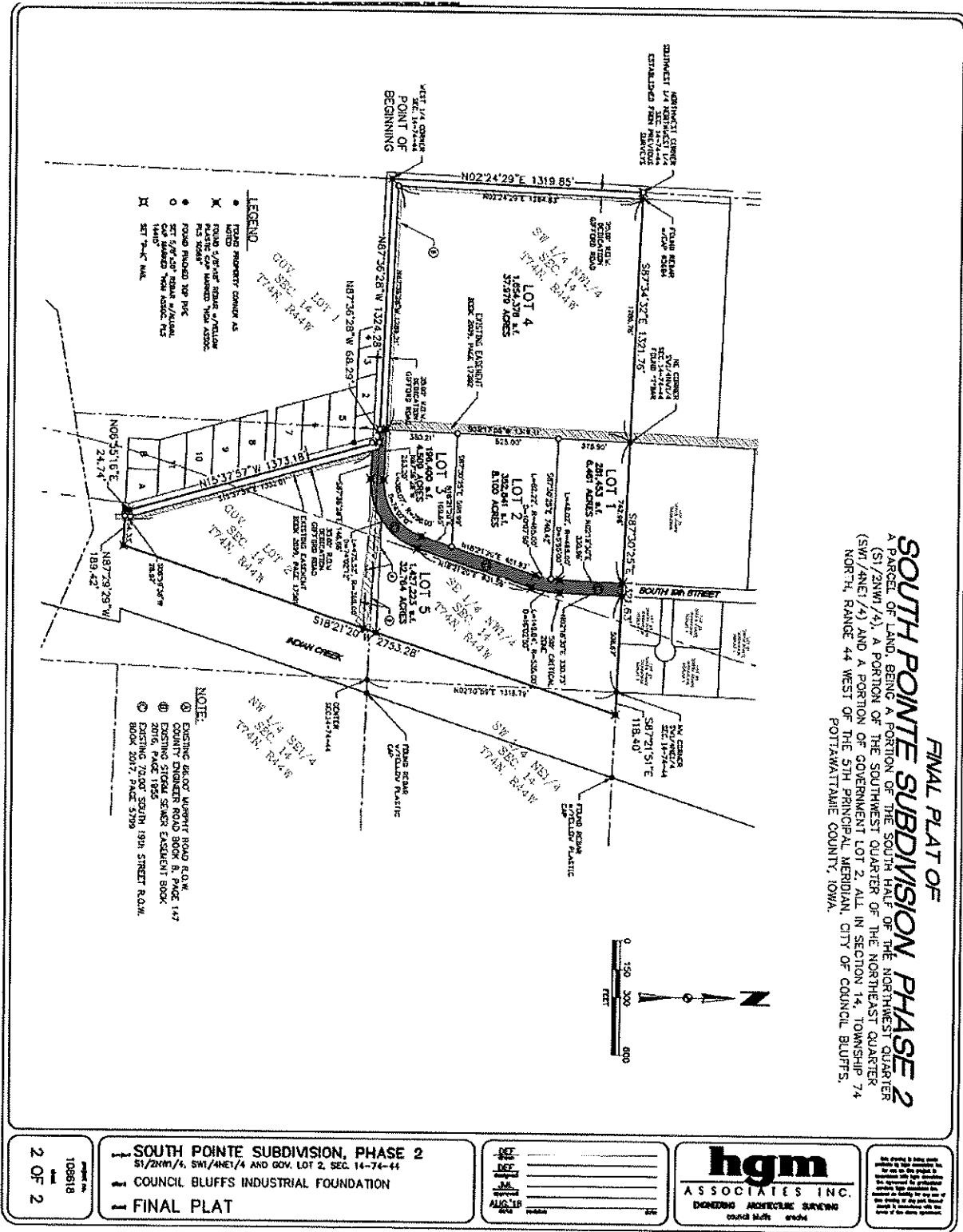
South Pointe Urban Revitalization Plan
Illustration 3 – Zoning



South Pointe Urban Revitalization Plan
Illustration 4 – Recreation-Tourism Overlay



South Pointe Urban Revitalization Plan
Illustration 5 – South Pointe Subdivision, Phase 2 Final Plat



PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed South Pointe Urban Revitalization Area is served with all municipal utilities (sanitary sewer, water and storm sewer) as well as electricity and gas. The area is accessible by five public roadways, as follows: Veterans Memorial Highway (US 275/92), South 21st Street, South 19th Street, 44th Avenue, and Gifford Road. In the last five years the City and/or other private entities have reconstructed portions of Gifford Road, South 21st Street, and South 19th Street to meet current City standards. There is a segment of Gifford Road that abuts the west/southwest boundary of this urban revitalization area that is not built to current City standards. It is anticipated that this segment of roadway will be reconstructed in coming years as new development occurs in the South Pointe Subdivision, Phase 2. All said roadways operate at a level of service (LOS) that can adequately handle additional traffic generated by new projects in this proposed urban revitalization area. There are no proposals to expand City services at this time.

RELOCATION PROVISIONS

Relocation is not anticipated with the implementation of this plan. However, if either a residential or non-residential tenant relocation occurs as a result of actions taken by a developer qualifying for the benefits under the Urban Revitalization Act, the tenant shall receive compensation from the developer of one month's rent and actual moving expenses, provided that the tenant has occupied the same unit continuously for a one year period prior to the adoption of this plan.

OTHER PUBLIC ASSISTANCE

The City anticipates the use of other public assistance may be necessary for development of this area. This assistance may include:

1. Property tax exemption
2. Continued use of Capital Improvement Program funds for the improvement or reconstruction of streets, sanitary sewer, storm sewer systems, and railroad crossings.
3. Funding from the State of Iowa (Economic Development Authority, Finance Authority, and Department of Transportation) to provide assistance to qualified businesses locating or expanding in the area or to cause the construction of infrastructure to support economic development projects.
4. Funding from the U.S. Government (Department of Housing and Urban Development, Economic Development Administration, and Federal Highway Administration) to acquire and prepare for private redevelopment or to cause the construction of infrastructure to support economic development projects.

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. **Eligibility** - The South Pointe Urban Revitalization Plan will apply to commercial and industrial land uses.

Both new construction and rehabilitation of existing structures will be eligible for tax abatement under the plan. Rehabilitation may include renovation of a structure to bring it to code standards, remodeling and expansion.

2. **Term** - The term of this Plan shall be until December 31, 2038 or as amended by City Council.

3. **Commercial and Industrial**

Ten Year - All eligible commercial and industrial real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows:

- a. For the first year, eighty percent.
- b. For the second year, seventy percent.
- c. For the third year, sixty percent.
- d. For the fourth year, fifty percent.
- e. For the fifth year, forty percent.
- f. For the sixth year, forty percent.
- g. For the seventh year, thirty percent.
- h. For the eighth year, thirty percent.
- i. For the ninth year, twenty percent.
- j. For the tenth year, twenty percent.

-OR-

Three Year - All eligible commercial and industrial real estate is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years.

6. **Improvements** - Improvements shall include commercial and industrial rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures

- For non-residential property, improvements must increase the actual value of the structure by at least 15%. If more than one building is located on the property, the 15% increase requirement applies only to the structure or structures upon which the improvements were made.
- If no structures were located on the property prior to the improvements, any improvements may qualify.

7. Actual Value - Actual value added by the improvements means the actual value added as of the first year for which the exemption was received. However, if such construction was begun one year prior to the adoption by the City of a Plan of Urban Revitalization pursuant to Chapter 404 of the Iowa Code, the value added by such construction, shall not constitute an increase in value for purposes of qualifying for the exemptions listed in this section.

APPLICATION AND REVIEW PROCESS

Upon completion of all improvements made within the assessment year for which the exemption is first claimed, the owner shall use the following procedure to secure the tax exemption.

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.
2. The applicant completes the required forms and submits them along with all required data by February 1st to the Community Development Department. As part of the acceptance procedure, the Community Development Department shall review the submission for completeness. If there is a deficiency, the Department shall notify the applicant within seven (7) days.
3. The Department shall review the application according to the following criteria: 1) conformance with the Urban Revitalization Plan; 2) a finding that the site is within a designated area; 3) a finding that the work has been completed within the time required to qualify for abatement in the assessment year; 4) a finding that the application is consistent with Chapter 404 of the Iowa Code; and 5) a finding that the application is consistent with all applicable city codes and ordinances.
4. Upon review of the application, the Community Development Department will prepare a recommendation and schedule the proposal for City Council consideration.
5. By resolution, the City Council will accept the application and improvements as consistent with the intent of this plan and state law.
6. The City Council will then direct the Community Development Department to transmit a copy of the case file to the Assessor's Office by March 1st as required by Chapter 404 of the Iowa Code.

Attachment A - South Pointe Urban Revitalization Area Plan - Property Owners List

Parcel Number	Owner & Tax Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation	Acreage
744411377007	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502 R A H Council Bluffs LLC	\$290,200.00	\$0	\$0	\$290,200.00	3.28
744411377004	c/o Matheson Tri Gas Inc. 155 Allen Road, Suite 302 Basking Ridge, NJ 07920 J A K Investments LLC	\$263,000.00	\$0	\$489,200.00	\$752,200.00	2.63
744411379001	865 Bud Boulevard Fremont, NE 68025 ARC Fechnia001 LLC	\$1,474,000.00	\$0	\$3,704,600.00	\$5,178,600.00	14.74
744414126003	c/o American Realty Capital 200 Dryden Road, Suite 1100 Dresher, PA 19025 ARC Fechnia001 LLC	\$1,101,000.00	\$0	\$1,394,800.00	\$2,495,800.00	11.01
744414126002	38 Washington Square Newport, RI 02840 McAllen Properties Omaha 3950 Commercial Avenue Madison, WI 53714 Glenn, Bernard L Trust	\$1,123,000.00	\$0	\$2,905,400.00	\$4,028,400.00	11.23
744414127003	18045 Bent Tree Ridge Council Bluffs, IA 51503 Glenn, Ross B-Patricia E	\$150,000.00	\$0	\$420,800.00	\$570,800.00	1.50
744414127004	4343 S 19th Street Council Bluffs, IA 51501 TEQ Properties, LLC	\$144,000.00	\$0	\$0.00	\$144,000.00	1.60
744414127005	c/o Greg Petersen 11664 Pierce Street Omaha, NE 68144	\$124,000.00	\$0	\$403,700.00	\$527,700.00	1.24
744414127006	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$121,500.00	\$0	\$0	\$121,500.00	1.35
744414176001	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$75,700.00	\$0	\$0	\$75,700.00	34.42
744414151002	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$70,100.00	\$0	\$0	\$70,100.00	36.24
744414151001	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$15,800.00	\$0	\$0	\$15,800.00	1.66
	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$35,800.00	\$0	\$0	\$35,800.00	16.00
		\$4,988,100.00	\$0	\$9,318,500	\$14,306,600.00	136.90

(address updated 10-25-18 from original plan draft)



149 W. Broadway,
Council Bluffs, IA 51503

September 24, 2018

The Honorable Mayor Matt Walsh and
Council Bluffs City Council Members
City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

Dear Mayor Walsh and Council Members:

Congratulations on the exciting things that are happening in Council Bluffs. The City has so many things to be proud of and Advance Southwest Iowa Corporation (ASWIC) is thrilled to be able to promote our great City.

As you know, ASWIC works to attract new businesses to the City as well as retain our existing business base. In order for us to be successful, it is vital that we have shovel ready sites as well as State and local Incentives to assist us in our process. As such, I'm writing this letter in support of the Urban Revitalization designation for South Point Business Park Phase I and II.

South Point is owned by the Council Bluffs Industrial Foundation with Phase II being a designated shovel ready site. ASWIC has been actively marketing both Phase I and II of South Point since September 2016. Based on this robust marketing effort, we have experienced an abundance of interest with two executed options in Phase II and two additional companies looking at two of the remaining parcels (one in Phase I and one in Phase II).

The City of Council Bluffs Urban Revitalization program is a critical component to our competitiveness for current and future projects at South Point. The Urban Revitalization program can be utilized as a stand-alone incentive program but can also be applied as the match component for the State of Iowa's Targeted Jobs and High Quality Jobs programs which makes this a versatile instrument in our economic development tool box.

Thank you for allowing Advance Southwest Iowa Corporation to express our support for the Urban Revitalization designation for South Point Phase I and II. We look forward to being able to further promote South Point as an industrial site within the City of Council Bluffs and sincerely appreciate all that you and the Council do to continue to grow our City. Please feel free to contact me directly at (402) 960-8505 should you have any questions regarding the content of this letter.

Regards,

Paula D. Hazlewood

Paula D. Hazlewood
Executive Director
Advance Southwest Iowa Corporation

ATTACHMENT B

Planning Commission Communication

Department: Community
Development

Case/Project No.: URV-18-008

URV-18-008

Council Action: 11/13/2018

Submitted by: Brenda Carrico,
Program Coordinator

Description

Public hearing on the request of the City of Council Bluffs to create the Arbor Creek Urban Revitalization Area and adopt the required plan for an area legally described as proposed Lot 2, Arbor Creek, City of Council Bluffs, Pottawattamie County, Iowa. Location: Immediately north of the intersection of Railroad Avenue and College Road.

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
URV-18-008 Arbor Creek URV Staff Report	Other	11/8/2018
URV-18-008 Arbor Creek URV Plan	Other	11/8/2018

Planning Commission Communication

Department: Community Development CASE # URV-18-008 Applicant: Community Development Department	Resolution No. _____	Planning Commission: 11-13-18 Resolution of Intent: 10-8-18 City Council Public Hearing: 11-26-18 First Reading: 11-26-18 Second Reading: 12-17-18 Third Reading: ask to be waived
Subject/Title		
Adoption of the Arbor Creek Urban Revitalization Plan and Area		
Location		
Immediately north of the intersection of Railroad Avenue and College Road		
Background		
<p>Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.</p> <p>Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement.</p>		
Discussion		
<p>A development proposal has been submitted by Zimmerman Properties Development LLC for the construction of a 60-unit multi-family residential project. Valley Ridge Apartments will be a three-story building with a separate clubhouse and maintenance building. Parking spaces will be placed along the north and east perimeters of the main building. Anticipated amenities may include a gazebo, BBQ grills, playground, dog park and sports court. Thirty of the units will have two bedrooms and thirty of the units will have three bedrooms. All of the units will have two bathrooms. The developer will submit an application to the Iowa Finance Authority (IFA) in January of 2019 for Low Income Housing Tax Credits (LIHTC). If awarded tax credits, the units will be rented to households whose incomes are at or below 60% of the area median income. As an example, for a family of three, the 60% income limit is \$44,100.</p> <p>Iowa Code permits the City to establish urban revitalization areas which satisfy one of the five conditions outlined in Section 404.1. Staff believes a finding would be consistent under 404.1.5. Section 404.1.5 discusses an area which is appropriate for housing and residential development, including single or multifamily housing.</p> <p>On October 8, 2018, the City Council approved Resolution 18-285, which directed staff to initiate the process of creating the Arbor Creek Urban Revitalization Plan and Area and set November 26, 2018 as the public hearing date. Although Chapter 404 of the Iowa Code does not specifically require review by the City Planning Commission, staff believes that such review is appropriate.</p>		

Notification of owners of properties who are within the urban revitalization area is required. The City of Council Bluffs is the only owner of the property within the proposed urban revitalization area.

Staff specifically asks that the Commission consider the following:

- The proposed Arbor Creek Urban Revitalization Plan furthers the goals of the City's Comprehensive Plan. The Community Development Department has asked City Council to consider the request to amend the Future Land Use Plan of the Bluffs Tomorrow: 2030 Comprehensive Plan in order to reclassify the property from "Rural Residential/Agricultural" to "Medium-Density Residential". As stated in the Comprehensive Plan, the document is not intended to be a static document but should be revised and updated as new projects and issues arise. This request to amend (CP-18-001) was originally scheduled for a City Council public hearing on November 5, 2018 but has been postponed until November 26, 2018. Any finding of consistency by the City Planning Commission should be made contingent upon the results of the related City Council public hearing on November 26, 2018.
- The proposed comprehensive plan amendment will accomplish the following:
 - 1) It will address the urbanizing nature of development in the general vicinity of the area, including but not limited to the nearby College View Elementary School and Iowa Western Community College, as well as the existing Sherwood Apartments located north of the subject property and proposed senior care facilities on College Road and Valley View Road, located east of the subject property.
 - 2) The amendment will ensure the proposed rezoning is consistent with the future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan.
 - 3) It will meet the objective listed in the Comprehensive Plan of "encouraging the development of multi-family, townhome and small-lot single-family housing along existing bus transit lines."
 - 4) It will support residential uses, both single-family and multi-family and provide new housing opportunities within the City.
 - 5) The Housing Plan of the Bluffs Tomorrow: 2030 Comprehensive Plan outlines the following Housing Policies for Neighborhood Character that apply to this development: a) Appropriate bulk and scale that establishes a rhythm of buildings and a sense of place. b) Design elements that reflect a specific range of architectural styles. c) Residential development standards that ensure context-sensitive infill that address building massing and scale, site planning, access management, etc. The proposed planned residential development plan will establish design standards for any residential use on the property to ensure it is consistent with the Bluffs Tomorrow: 2030 Comprehensive Plan.
- The Arbor Creek Urban Revitalization Area is appropriate for urban revitalization designation as specified in Iowa Code Section 404.1.5 which discusses areas that are appropriate for housing and residential development, including single or multifamily housing.

Recommendation

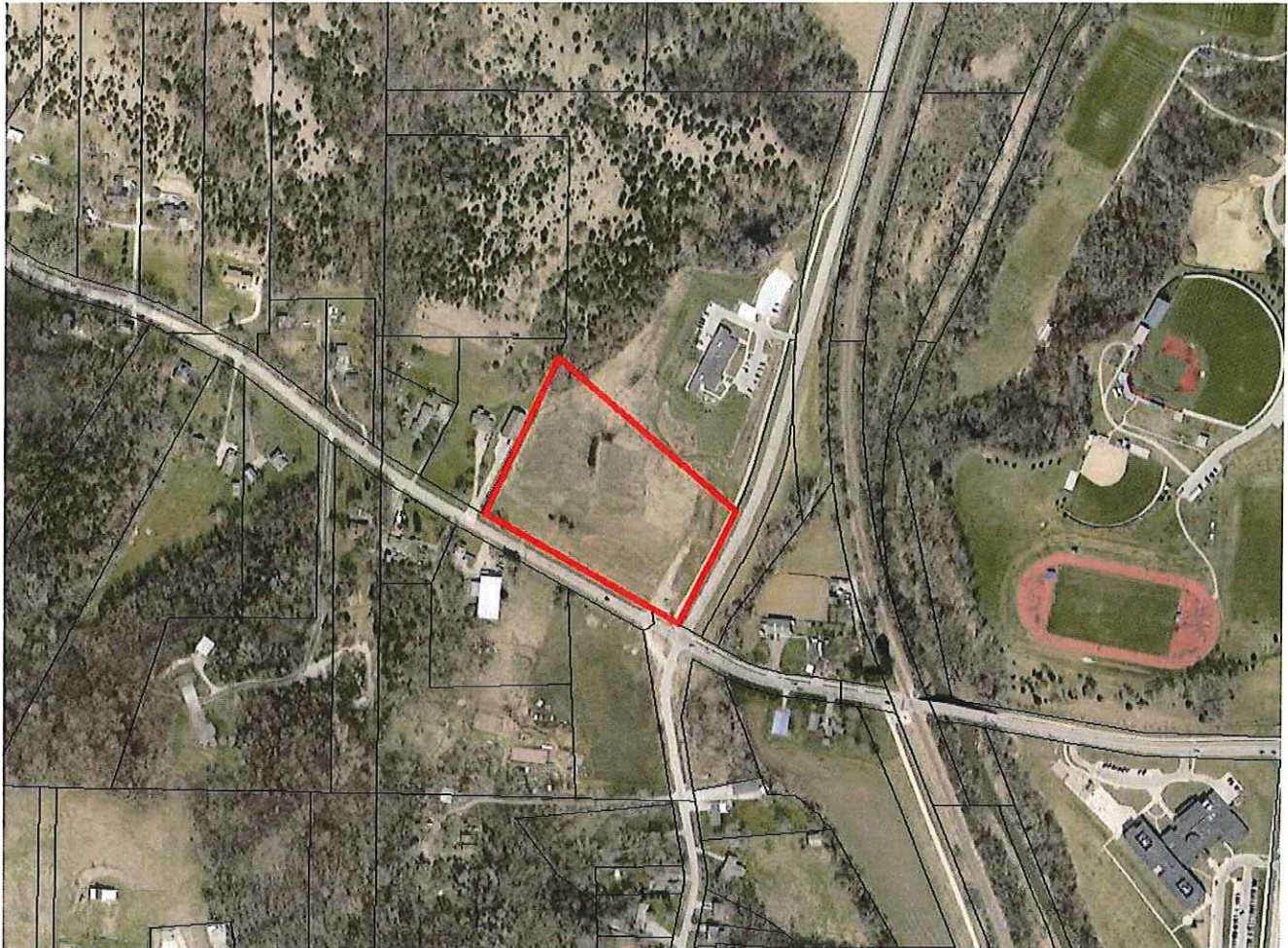
The Community Development Department recommends approval of the Arbor Creek Urban Revitalization Plan and Area.

Attachment

Arbor Creek Urban Revitalization Plan

Submitted by: Brenda Carrico, Program Coordinator, Community Development Department

Arbor Creek Urban Revitalization Plan



Prepared by
Community Development Department
City of Council Bluffs, Iowa

Adopted by
City Council on _____, 2018

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INTRODUCTION

The Urban Revitalization Act empowers a municipality to designate an area appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate-income families, including single or multi-family housing.

The City of Council Bluffs wishes to utilize property tax abatement incentives under the Urban Revitalization Act to facilitate the construction of a multi-family residential project in the community. The preparation and subsequent adoption of an Urban Revitalization Plan is required by the Iowa Code prior to the provision of property tax abatement.

Section 404.1 of the Iowa Code stipulates that the Council may, by ordinance, designate an area of the City as the revitalization area, if that area is classified as any of the following:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare.
2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety or welfare in its present condition and use.
3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.
4. An area which is appropriate as an economic development area as defined in Section 403.17(10) of the Iowa Code which states "an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multi-family housing."

5. An area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multi-family housing.

The City of Council Bluffs concluded that the Arbor Creek Urban Revitalization Area meets the criteria of element 5. Consequently, on October 8, 2018, the City Council adopted Resolution No. 18-285, which directed staff to prepare a plan for the proposed revitalization area. Illustration 1 is the City Council Resolution.

Arbor Creek Urban Revitalization Plan
Illustration 1 – Resolution

RESOLUTION NO. 18-285

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH THE ARBOR CREEK REVITALIZATION AREA LEGALLY DESCRIBED AS PROPOSED LOT 2 OF ARBOR CREEK SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the subject area is an appropriate area as defined in Section 404.1.5 of the Iowa Code; and

WHEREAS, a proposal has been submitted for the construction of a multi-family residential project on the vacant land; and

WHEREAS, a plan for the area must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.5.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by October 25, 2018.

BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on November 26, 2018.

**ADOPTED
AND
APPROVED:**

October 8, 2018


Matthew J. Walsh Mayor

ATTEST: 
Jodi Quakenbush City Clerk

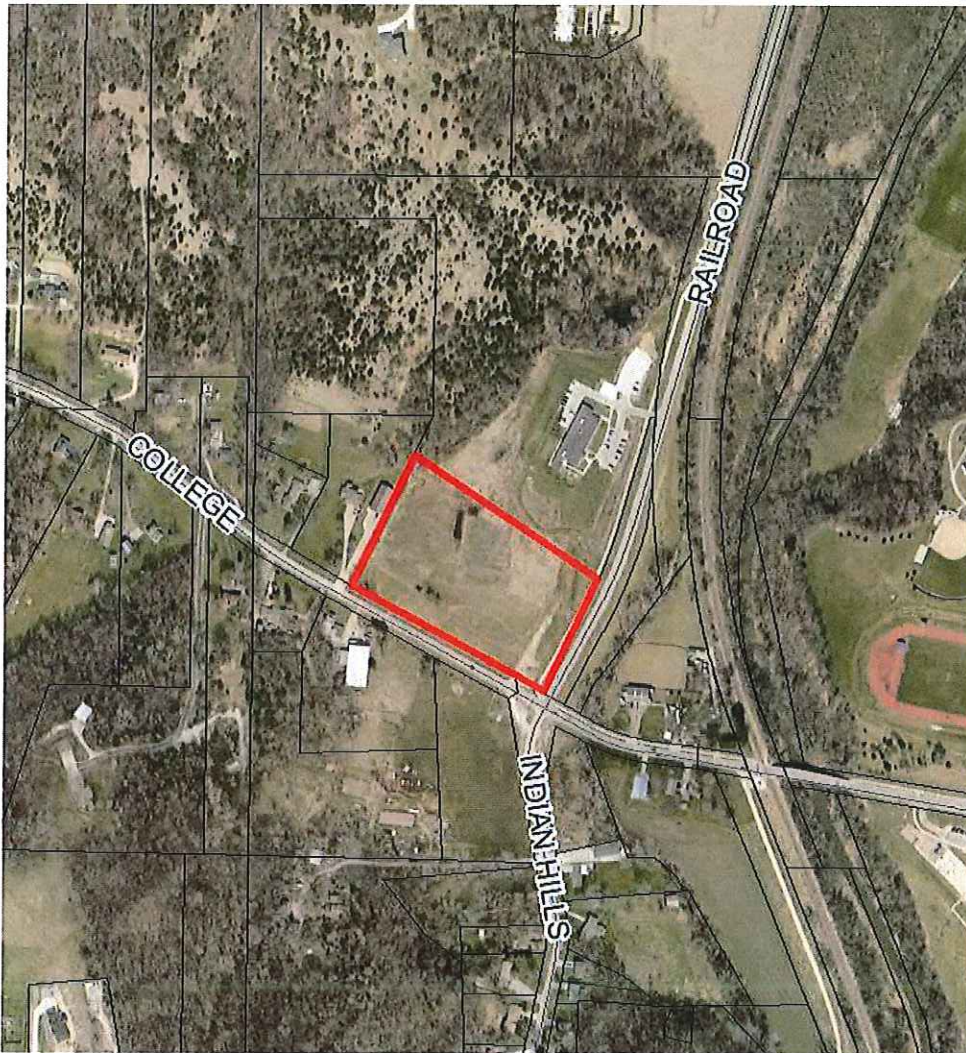
LEGAL DESCRIPTION

The Arbor Creek Urban Revitalization Area is a tract of land containing the following legally described parcel:

Proposed Lot 2, Arbor Creek, City of Council Bluffs, Pottawattamie County, Iowa

Illustration 2 shows the approximate location and the boundary of the Arbor Creek Urban Revitalization Area. The area is 6.19 acres.

Arbor Creek Urban Revitalization Plan Illustration 2 - Boundary



PROPERTY OWNERS AND ASSESSED VALUES

The Arbor Creek Urban Revitalization Area will be comprised of 6.19 acres of land which is currently owned by the City of Council Bluffs. The Arbor Creek Urban Revitalization area will be located on what is currently a 29.86 Acre Parcel that is currently being subdivided into a three-lot subdivision. JLL Valuation and Advisory Services, LLC appraised the land at \$188,811.70.

Legal Description	Owner & Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation
Lot 2, Arbor Creek	City of Council Bluffs	\$188,811.70	\$0	\$0	\$188,811.70

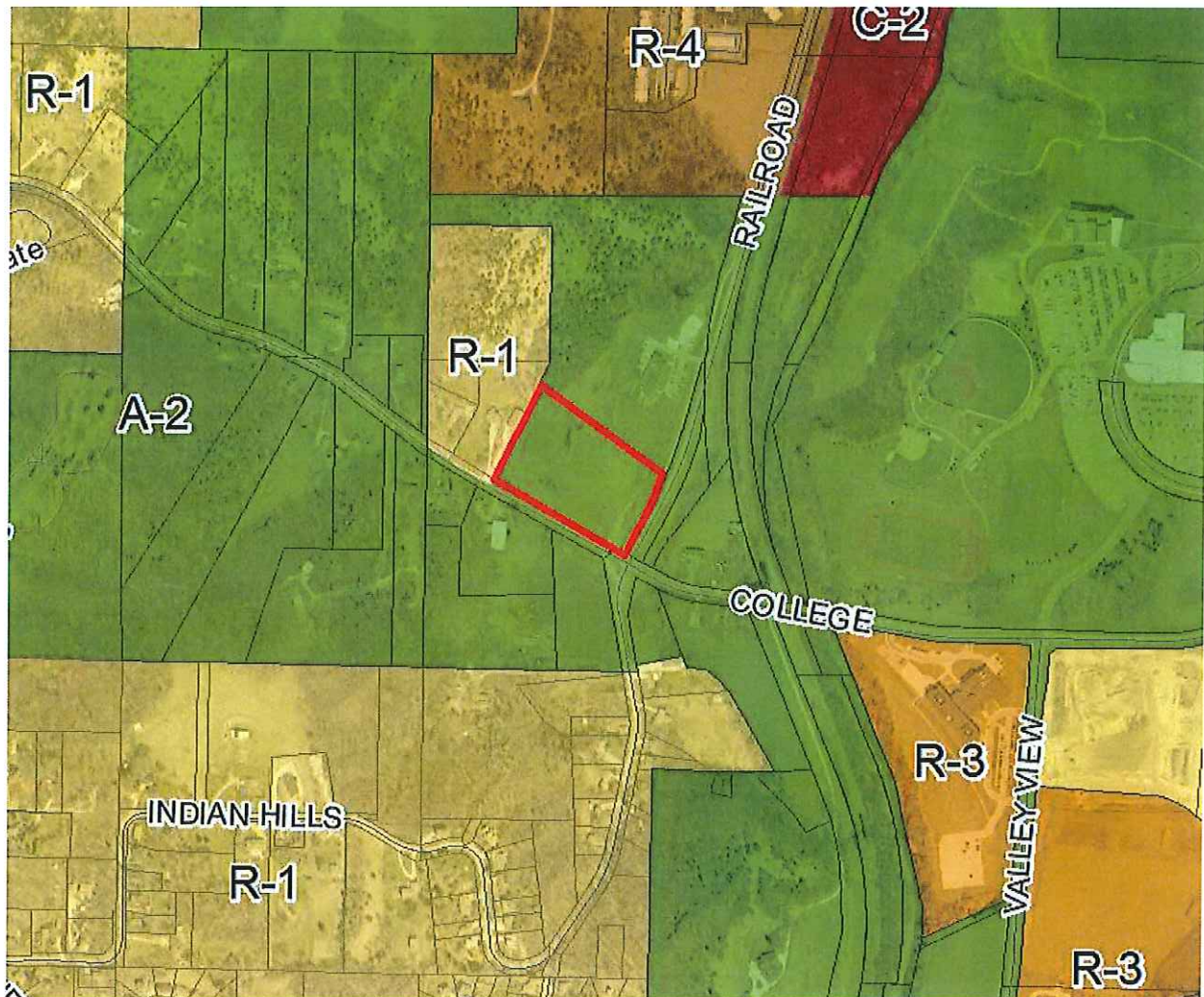
EXISTING ZONING AND PROPOSED LAND USE

The Arbor Creek Urban Revitalization Area is zoned R-3/Low Density Multi-Family Residential (pending) with a Planned Residential Overlay (pending). The R-3/Low Density Multi-Family District is intended and designed for development of medium density multi-family residential units. The Planned Residential Overlay is intended to provide flexibility in the use and design of structures and land in situations where conventional development may be inappropriate. The Overlay also permits projects that involve the mixture of commercial and residential uses.

Adjacent zoning includes R-1 District to the west, and A-2 District to the north, east, and south. Land uses abutting the proposed Arbor Creek Urban Revitalization Area include the Midlands Humane Society to the north, and single-family residential dwellings to the east, west, and south. The Bluffs Tomorrow: 2030 Future Land Use Plan designates the subject property as Rural Residential/Agricultural, though a reclassification of the land to Medium-Density Residential has been proposed. In the general vicinity of the proposal, there is another multifamily housing complex located 1,500 Feet to the North, College View Elementary School which is located approximately 1,200 Feet to the Southeast, Iowa Western Community College located 2,000 Feet to the West, and other examples of new residential and commercial development located south of the Iowa Western Community College Campus. Illustration 3 depicts the existing on-site and surrounding zoning.

A development proposal has been submitted by Zimmerman Properties Development, LLC for the construction of a multifamily residential project. The first phase of the project will include 60 residential units which will provide housing for those whose incomes are at or below 60% of the area median income. The current proposal includes a clubhouse, playground, dog park, sports court, and shelter/barbeque area as amenities for the residents. Associated parking and landscaping will also be provided with each phase of construction.

The Development Plan can be found in Attachment A.



PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed Arbor Creek Urban Revitalization Area will be served with all municipal services (sanitary sewer, water and storm sewer) and can be accessed by a dedicated roadway. Electricity and gas service are also available to the project. The project is located adjacent to College Road and Railroad Avenue, which will adequately handle the additional traffic generated by this proposed project.

Site grading inclusive of over excavation is anticipated to develop the site. Storm drainage improvements inclusive of detention will be installed throughout the site, a public water main loop will be constructed with fire hydrants in compliance with fire department guidelines. A sewer main extension will be installed through the site to service the three buildings. Both water and sewer extensions will be connected to existing infrastructure along College Road. Half road improvements may be needed for College Road. If half road improvements are not desired for College Road, current grade conditions may preclude

placement of public sidewalk in the current right-of-way. Easement for public sidewalk on private property will be dedicated if existing conditions are not improved and preclude placement of sidewalk in right-of-way.

RELOCATION PROVISIONS

The Arbor Creek Urban Revitalization Area is currently undeveloped; therefore, the City will not displace any residential or non-residential tenants as a result of proposed improvements in the urban revitalization area.

OTHER PUBLIC ASSISTANCE

The developer will be applying for Low Income Tax Credits from the Iowa Finance Authority in January of 2019.

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility - The Arbor Creek Urban Revitalization Plan will apply to commercial and multi-family residential (12 or more units).

Both new construction and rehabilitation of existing structures will be eligible for tax abatement under the plan. Rehabilitation may include renovation of a structure to bring it to code standards, remodeling and expansion. New construction of multi-family structures containing 12 or more units or the renovation of existing multi-family properties containing 3 or more units will also be eligible for property tax exemption under the plan.

2. Term - The term of this Plan shall be until December 31, 2035 or amended by City Council.

3. Commercial and Industrial

Ten Year - All eligible commercial and industrial real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows:

- a. For the first year, eighty percent.
- b. For the second year, seventy percent.
- c. For the third year, sixty percent.
- d. For the fourth year, fifty percent.
- e. For the fifth year, forty percent.
- f. For the sixth year, forty percent.
- g. For the seventh year, thirty percent.
- h. For the eighth year, thirty percent.
- i. For the ninth year, twenty percent.
- j. For the tenth year, twenty percent.

-OR-

Three Year - All eligible commercial and industrial real estate is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years.

4. Multi-Family New Construction (12 or more units) - All eligible multi-family construction shall be eligible to receive a 100% exemption for a period of four years.

5. Multi-Family Rehabilitation (3 or more units) - All eligible multi-family rehabilitation projects shall be eligible to receive a 100% exemption for a period of ten years.

6. Improvements - Improvements shall include commercial and industrial rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures. Improvements involving multi-family projects shall include new construction of projects resulting in 12 or more units or the rehabilitation of existing multi-family projects containing 3 or more units (assessed as commercial property). In addition, all improvements must result in the following increases in value:

- For non-residential property, improvements must increase the actual value of the structure by at least 15%. If more than one building is located on the property, the 15% increase requirement applies only to the structure or structures upon which the improvements were made.
- For residential property, the improvement must increase the actual value of the structure by at least 10%.
- If no structures were located on the property prior to the improvements, any improvements may qualify.

7. Actual Value - Actual value added by the improvements means the actual value added as of the first year for which the exemption was received. However, if such construction was begun one year prior to the adoption by the City of a Plan of Urban Revitalization pursuant to Chapter 404 of the Iowa Code, the value added by such construction, shall not constitute an increase in value for purposes of qualifying for the exemptions listed in this section.

APPLICATION AND REVIEW PROCESS

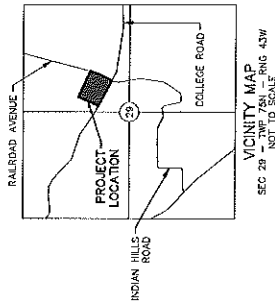
Upon completion of all improvements made within the assessment year for which the exemption is first claimed, the owner shall use the following procedure to secure the tax exemption.

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.
2. The applicant completes the required forms and submits them along with all required data by February 1st to the Community Development Department. As part of the acceptance procedure, the Community Development Department shall review the submission for completeness. If there is a deficiency, the Department shall notify the applicant within seven (7) days.
3. The Department shall review the application according to the following criteria: 1) conformance with the Urban Revitalization Plan; 2) a finding that the site is within a designated area; 3) a finding that the work has been completed within the time required to qualify for abatement in the assessment year; 4) a finding that the application is consistent with Chapter 404 of the Iowa Code; and 5) a finding that the application is consistent with all applicable city codes and ordinances.
4. Upon review of the application, the Community Development Department will prepare a recommendation and schedule the proposal for City Council consideration.
5. By resolution, the City Council will accept the application and improvements as consistent with the intent of this plan and state law.
6. The City Council will then direct the Community Development Department to transmit a copy of the case file to the Assessor's Office by March 1st as required by Chapter 404 of the Iowa Code.

VALLEY RIDGE APARTMENTS DEVELOPMENT PLANS

COUNCIL BLUFFS, IOWA

Sheet List Table



OWNERS:
JAMES M. LUTCH, JR.
209 PEARL ST., COUNCIL BLUFFS, IA 51503

DEVELOPER:
JACOBSON PROPERTIES DEVELOPMENT, LLC
1000 10TH AVE. S.W., SUITE 100
ST. PAUL, MN 55108
Phone: (612) 442-5504
Fax: (612) 442-5504
E-mail: info@jacobsondev.com
Web: www.jacobsondev.com
ATTN: JAMES MCDONALD

DESIGNER:
K&M VALLEY ENGINEERING, INC.
14700 W. 114TH TERRACE
LENEXA, KANSAS 66215
Phone: (913) 894-3150
Fax: (913) 894-3150
ATTN: MICHAEL OLSOUBURN

LEGAL DESCRIPTION:
PROPOSED LOT 2, ALDER CREEK SUBDIVISION

SITE DATA:
 SITE AREA= 9.11 AC
 R3 ZONING REQUIREMENTS
 MIN. LOT AREA= 10,000 SQ. FT.
 MIN. YARD= 30'
 MAX. YARD= 50' (TALLS ONE FOOT FOR EVERY STORY ABOVE FIRST FLOOR)
 MAX. HEIGHT= 35'
 LOT COVERAGE= 40% MAXIMUM
 LOT DEVELOPMENT= 10% MAXIMUM
 IMPROVED LOT COVERAGE= 12%
 DESIGNATED ZONING: R3 (PARKS, LOTTERIES AND AGRICULTURAL DEVELOPMENT)
 ADJACENT ZONING: R3 (LOW DENSITY MULTIFAMILY RESIDENTIAL DEVELOPMENT)
 PARKING REQUIREMENTS: 1.5 SPACES/UNIT X 65 UNITS= 90 STALLS

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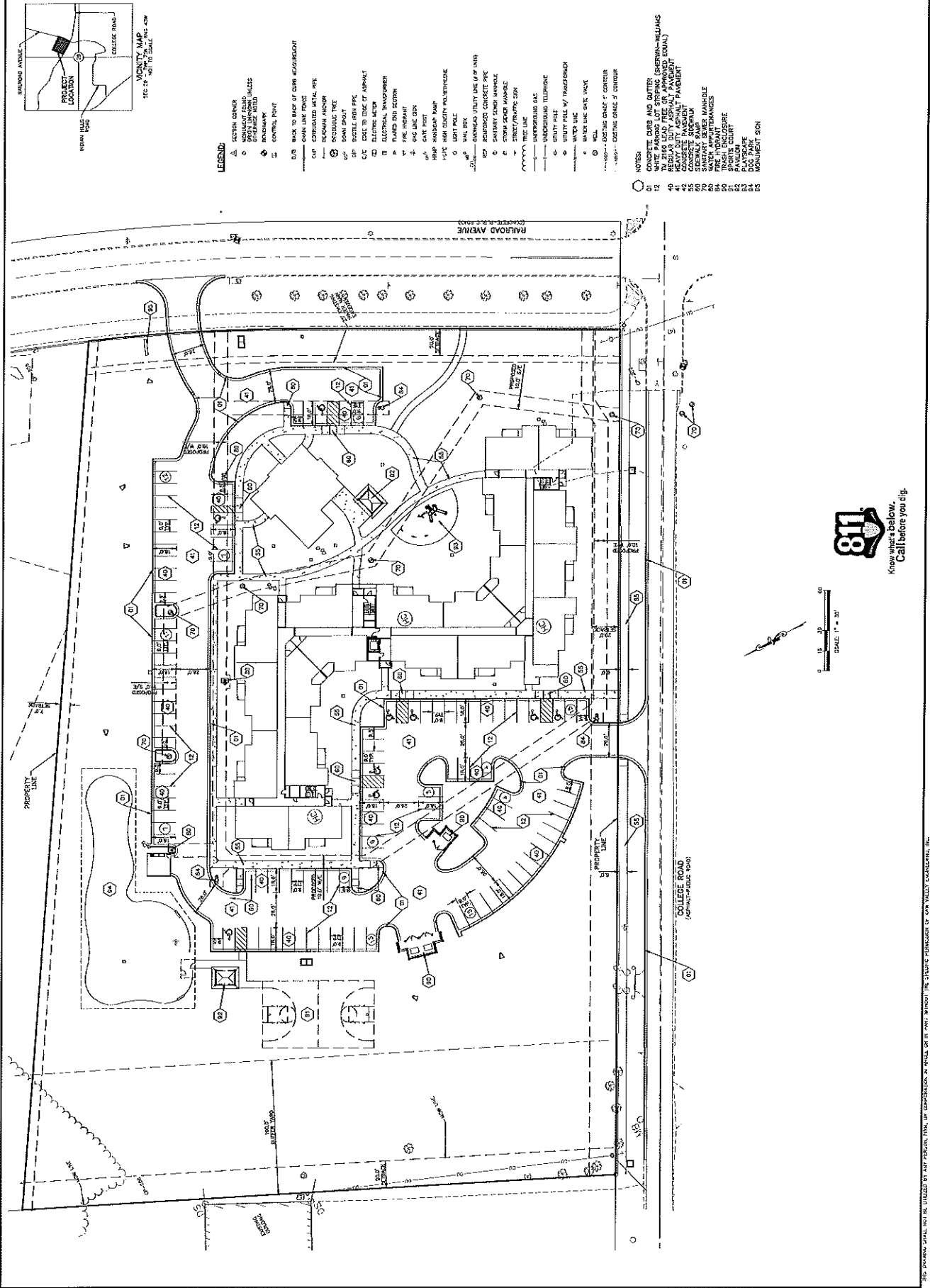
SAFETY NOTICE TO CONTRACTOR

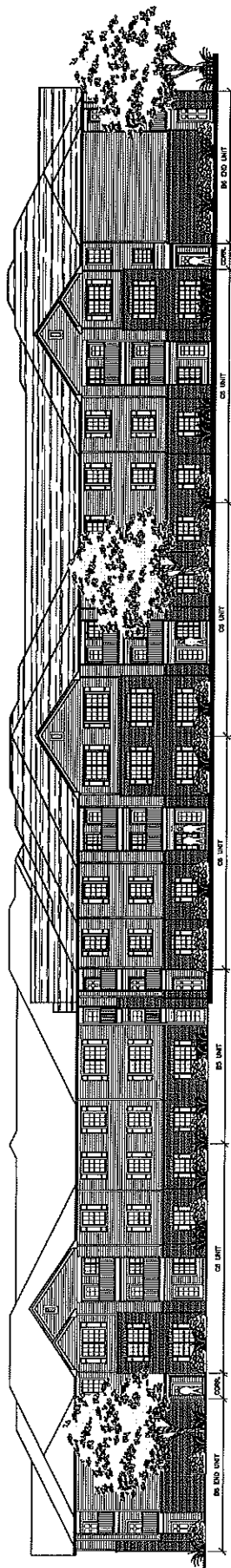
WARRANTY / DISCLAIMER
THE DESIGNS REPRESENTED IN THESE PLANS ARE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF CIVIL ENGINEERING FOR THE DESIGN FUNCTIONS AND USES INTENDED BY THE OWNER AT THIS TIME. HOWEVER, NEITHER KAW AND ASSOCIATES, INC. NOR ITS PERSONNEL CAN OR DO WARRANTY THESE DESIGN FUNCTIONS OR USES FOR ANY OTHER SPECIFIC CASES WHERE KAW VALLEY ENGINEERING PERSONNEL, INSPECT AND CONTROL THE PHYSICAL CONSTRUCTION ON A CONTEMPORARY BASIS AT THE SITE.

CAUTION - NOTICE TO CONTRACTOR

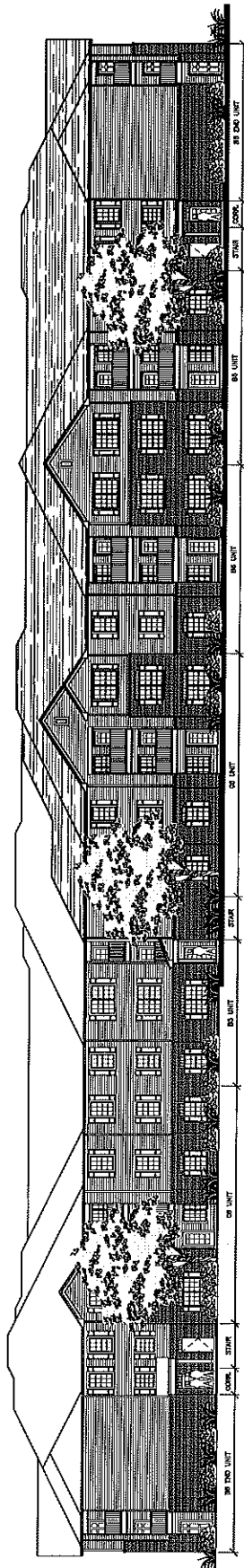
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR DEPTH OF ANY EXISTING UTILITIES SHOWN ON THESE PLANS IS BASED ON THE RECORDS OF THE VARIOUS UTILITY COMPANIES. THE CONTRACTOR SHALL TAKE MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE UTILITY LOCATING SERVICE AT 811 PRIOR TO ANY EXCAVATION. THE CONTRACTOR IS REQUESTED TO REQUEST EXACT FIELD LOCATION OF UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF UTILITIES. THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES SHOWN ON THESE PLANS. THE CONTRACTOR SHALL PROTECT ANY EXISTING UTILITIES SHOWN ON THE PLANS. ANY POSSIBLE CONFLICTS PRIOR TO ANY CONSTRUCTION.

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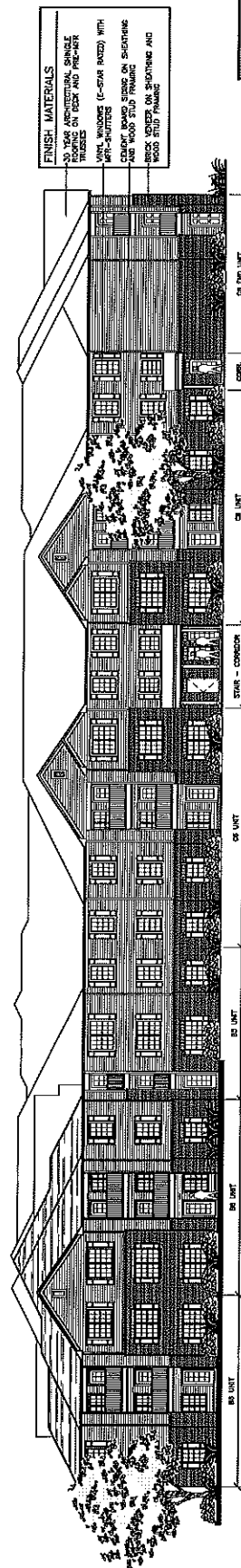




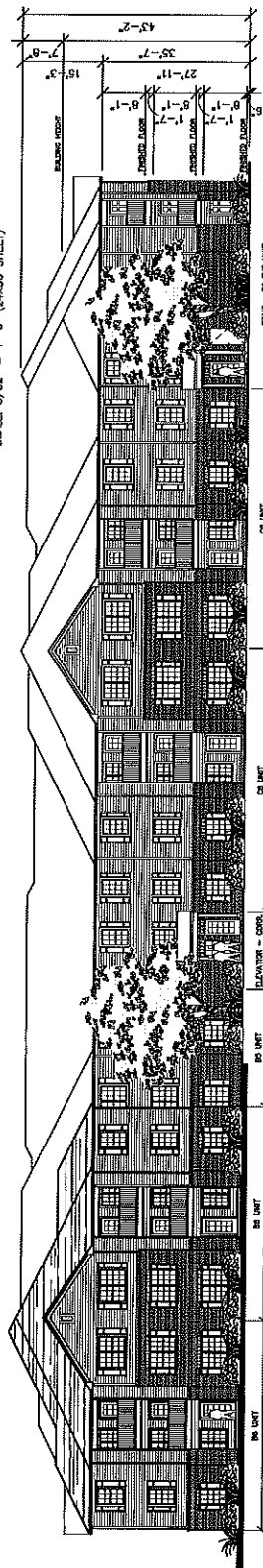
1 NORTH ELEVATION
SCALE: 3/32" = 1'-0" (24X36 SHEET)



2 SOUTH ELEVATION
SCALE: 3/32" = 1'-0" (24X36 SHEET)

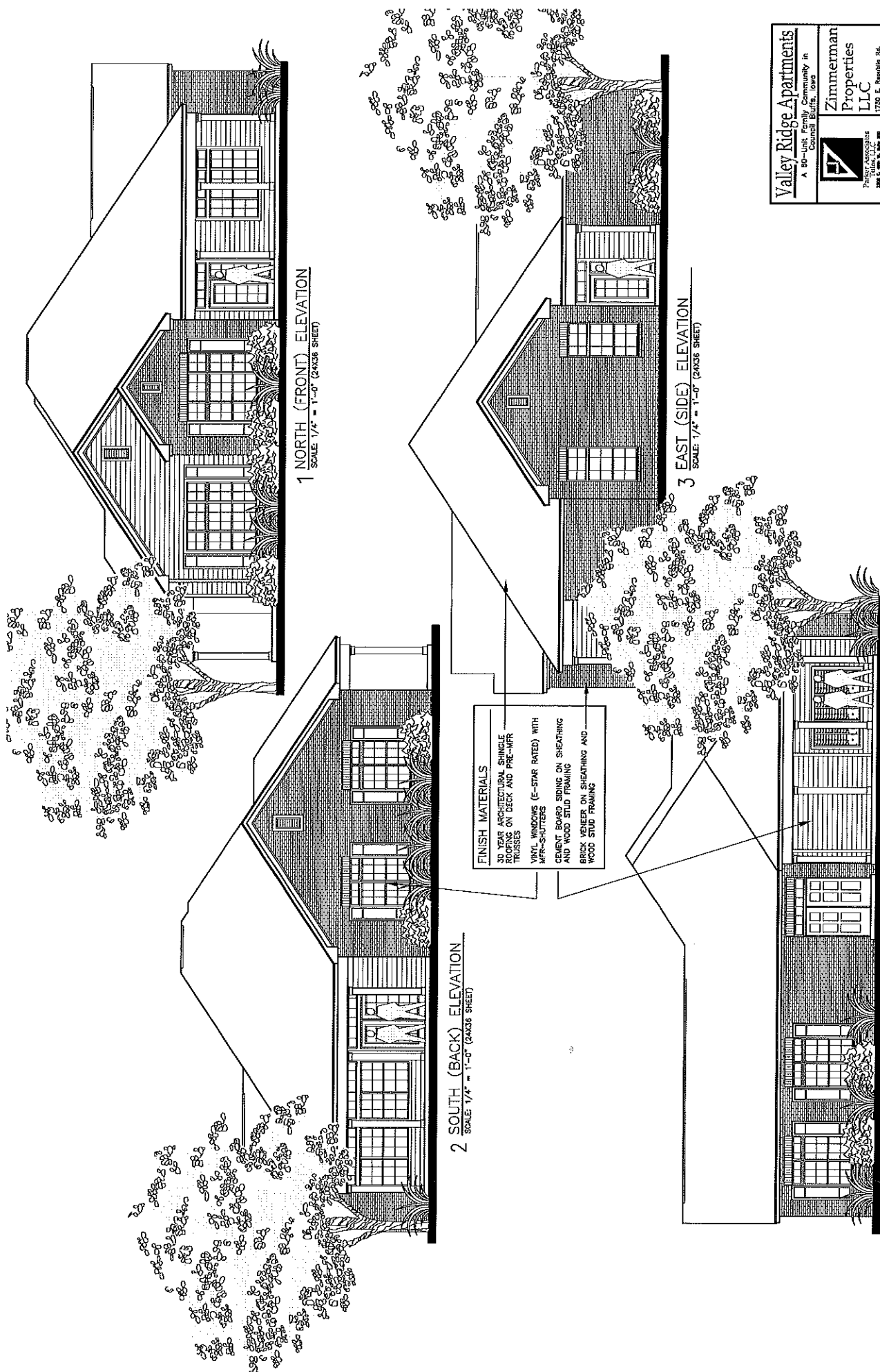


3 EAST ELEVATION
SCALE: 3/32" = 1'-0" (24X36 SHEET)



4 WEST ELEVATION
SCALE: 3/32" = 1'-0" (24X36 SHEET)

ELEVATION KEY 		Valley Ridge Apartments A 60-Unit Family Community in Council Bluffs, Iowa	Zimmerman Properties LLC PROJECT MANAGER 1720 E. Maple Rd. Council Bluffs, IA 51503 515.281.1111	38/07/2018 SHEET: AB1 BUILDING ELEVATIONS
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Valley Ridge Apartments A 50-unit Family Community in Council Bluffs, Iowa		Zimmerman Properties LLC PROJECT ASSOCIATES 1730 E. Regis Rd. Council Bluffs, IA 51502	SHEET: CA1 BUILDING ELEVATIONS 09/10/2016
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